

**THE GLASTONBURY TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING MINUTES OF TUESDAY, APRIL 7, 2026**

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, Chairman
Ms. Sharon Jagel, Vice Chairman
Ms. Laura Cahill, Secretary
Mr. Emilio Flores
Mr. Philip Markuszka
Mr. Andy Zlotnick
Mr. Dennis Desmarais, Alternate
Ms. Pamela Lucas, Alternate
Ms. Kadji Anderson, Alternate

Chairman Zanolungo called the meeting to order at 7:04 P.M.

PUBLIC COMMENT

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

John Cavanna of 63 Woodland Street invited attendees to sign a petition to send the Town budget to referendum, allowing voters to decide on a potential tax increase.

PUBLIC HEARING

1. Application of North American Builders, LLC for a 4-lot subdivision & Sec 6.8 Rear Lot Special Permit for 3 rear lots – construction of 4 single family homes – 575 Neipsic Road – Rural Residence Zone

Justin Packard, Principal Engineer of Hallisey, Pearson & Cassidy Engineering, representing the applicant, provided an overview of the existing 8.4-acre rural residential property. He described the property as having a two-story home located toward the front of the lot, with the front half of the site cleared for lawn and meadow use. Access is currently provided via a shared curb cut leading to a driveway on the western side of the property. Mr. Packard also described a solar array located within the cleared area, generally north-to-south sloping topography with a rear mound, and how existing stormwater flows across the property.

Mr. Packard presented a proposed subdivision plan dividing the property into four lots, with Lot 1 retaining the existing house and three new rear lots (Lots 2-4) ranging in size from approximately 1.86 to 2.7 acres. He explained that the existing house would remain, and three new single-family homes are proposed on the rear lots. Access to all four lots would be provided via a new shared driveway from Neipsic Road. Mr. Packard noted prior discussion regarding rear lot regulations limiting shared driveway access and stated that, based on coordination with town staff, the applicant proposes connecting the existing house to the shared driveway to reduce pavement and eliminate an additional curb cut, while noting that a separate driveway could be provided if required.

Mr. Packard explained that stormwater from the three rear lots will be conveyed into four infiltration basins arranged in a series along the site, with runoff sheet flowing into a grass swale on the downslope side of the driveway before being directed sequentially from Basin 1 through Basin 4. He stated the basins were designed in accordance with the Connecticut Stormwater Quality Manual and based on soil testing and percolation tests conducted at each basin location using a Turf-Tec Infiltrometer. He also said compliance with zoning requirements for rear lot driveways, including a 20-foot width and a maximum 15% slope, had been met. He noted the design providing a flatter 5% section at the road connection for safety and sight lines, transitioning to steeper grades mid-driveway before leveling to match existing grades. Mr. Packard added that swales were analyzed for the 100-year storm event and include erosion protection measures. He further noted that each lot will be served by individual septic systems and wells, and that clearing limits were adjusted in coordination with the Conservation Commission to accommodate infrastructure while preserving as much existing woodland as possible.

Comparable local examples of similar rear lot and shared driveway developments in the area were presented, including properties on Oakwood Drive, Wickham Road, and Neipsic Road, noting that several feature multiple rear lots served by shared driveways, with slopes ranging from approximately 13% to 18%, including cases with steeper grades than the proposed development. He stated that the applicant has worked extensively with the Town Engineering Department through multiple redesigns to reduce disturbance, refine grading, and improve stormwater management, and noted that the current proposal represents the least impactful feasible layout and has received a positive review letter confirming compliance with the Town's stormwater management requirements.

Mr. Packard stated that remaining review comments are minor and can be addressed through plan revisions or conditions of approval. He reported receiving positive recommendations, including the Police Department, Fire Marshal, Fire Chief, and Sanitarian . He said coordination with the Fire Department included using the department's ladder truck specifications to simulate access on the proposed driveway in both directions, confirming clearance, maneuverability, and no bottoming-out concerns. Mr. Packard also stated coordination with the Sanitarian addressed existing utilities at the front lot as well as the proposed septic and well systems for the rear lots. He reiterated that the proposed house locations are schematic and will be finalized at the time of future building permit applications, subject to detailed review by town staff. He further noted receipt of a late submission from an abutting property owner, which had not yet been fully

reviewed due to timing, and stated the applicant remains available to respond to questions, while noting that all town departments had provided favorable feedback to date.

An additional proposal, included as part of the application, involves the removal and repaving of the northern half of Neipsic Road along the project frontage. Mr. Packard explained that this is in response to concerns regarding stormwater sheet flowing across the road to properties to the south, and said that a field survey conducted with the Engineering Department found that existing roadway grades do not provide adequate crown to separate runoff north and south. He stated the proposed work would establish proper road crowning to ensure stormwater remains on the northern side of the roadway and would be completed at the applicant's expense.

Mr. Zanolungo asked how the Commission should proceed given that the applicant had not yet had an opportunity to respond to questions and noted that he did not anticipate a vote being taken that evening. Shelley Caltagirone recommended hearing from the intervenor, allowing the Commission to ask questions, and continuing the public hearing to a future meeting to provide the applicant additional time to review the intervenor materials and respond, noting that some cited plans were not the most recent revisions and had been re-sent to ensure all parties are reviewing the same documents.

Ms. Cahill asked whether the Town was approaching any legal deadline that would result in automatic approval if a vote was not taken that evening. Ms. Caltagirone responded that the Commission has 35 days to close the public hearing, allowing for up to two additional meetings.

Ms. Jagel asked staff to clarify whether the regulations allow the frontage lot to have a separate driveway rather than all four lots being served by a single shared driveway. Gary Haynes stated that while an additional driveway for the frontage lot is permitted under the regulations, the shared driveway approach was reviewed as preferable from an access management and engineering standpoint, as it reduced additional impervious surface and consolidated access points given the existing frontage lot condition and site constraints.

Ms. Cahill stated she would like clarification from the Town Attorney regarding whether the regulations permit more than three homes on a shared driveway and expressed concern about remaining within the Commission's authority as an administrative body. Town Attorney Ken Slater responded that while the Commission cannot ignore the plain language of the regulations, there may be interpretive nuance, and indicated he would review the specific language and provide clarification through staff. Ms. Cahill requested that staff provide the exact regulatory language being relied upon.

Mr. Zanolungo then called the petitioning party to speak. Attorney Seth Klaskin spoke on behalf of Karl Wagener, who lives south of the proposed project across Neipsic Road, and stated that while Mr. Wagener does not oppose a subdivision on principle, he objects to the current proposal as inadequately engineered to address stormwater, grading, and erosion concerns associated with the site's steep slopes and soil conditions. He asserted the plan poses potential risks to his property, the environment, and public safety, suggesting the project could be made acceptable if reduced to a three-lot subdivision with reduced grading and enhanced stormwater and erosion control measures.

Attorney Klaskin stated that the proposed project is not suitable for the steep terrain, emphasizing the steep common driveway would create excessive impacts. He said that Mr. Wagener already experiences significant runoff that floods his garage during the winter months, which prompted the hiring of a specialty engineer to evaluate the proposal. Mr. Klaskin identified Steve Trinkaus as a leading expert in low impact design, and explained that Mr. Trinkaus reviewed the more recently submitted plan from mid to late March and concluded that the current plan relies too heavily on grading swales, basins, and rain gardens and identified no fewer than 72 deficiencies. He stated that these deficiencies could result in unacceptable stormwater discharge, point source nutrient pollution, and erosion impacts affecting the client's property, the public right-of-way, and Hubbard Brook.

Mr. Klaskin further noted concerns that the proposed systems do not comply with modern code requirements and that untreated/inadequately treated runoff would be discharged into catch basins feeding directly into Hubbard Brook. He also observed that the engineering plans appear to be drawn to the wrong scale, which may underestimate the true environmental impacts. Mr. Klaskin emphasized that the long-term success of the project depends heavily on ongoing management and maintenance of stormwater and erosion control systems. He raised concerns that while current homeowners may follow inspection and maintenance requirements, future property owners may not uphold the same level of care, creating risks for system failure. Mr. Klaskin questioned how the Town would enforce compliance over time, warning that failure to do so can endanger Neipsic Road, his client's property, and nearby natural resources.

Mr. Klaskin relayed that Mr. Trinkaus identified numerous engineering deficiencies, including stormwater basins that are not designed to meet code or function effectively, lack of runoff treatment from impervious surfaces such as the driveway, and the absence of drainage easements. He also consolidated zoning concerns, arguing that the proposal does not comply with local regulations governing common access driveways and allowable lot configurations. Additional concerns included public safety risks from a proposed spillway crossing the public right-of-way and the lack of adequate environmental review. He concluded by advocating for a reduced three-lot subdivision as a more sustainable alternative.

Mr. Zanolungo opened the floor for public comment, but no members of the public came forward. He then invited questions from the Commissioners. Mr. Zlotnick asked Mr. Slater to clarify how comments from an intervenor differ from those of a typical speaker, particularly under the Connecticut Environmental Protection Act. Mr. Slater explained that an intervenor is granted party status and may present information related to environmental impacts within the agency's jurisdiction. He said that while some comments may extend beyond strictly environmental issues, the key distinction is that if an intervenor demonstrates a reasonable likelihood of harm to an environmental resource, the Commission must apply the "feasible and prudent alternative" test, which would not otherwise be required.

Mr. Zlotnick also asked about conflicting engineering opinions regarding testing methods. Justin Packard, the applicant's engineer, stated that the Turf-Tec Infiltrometer is an accepted method under the 2024 Connecticut Stormwater Quality Manual and has been used successfully in other projects. He confirmed that a construction stormwater permit would be submitted and explained that test pits dug up to 12–13 feet did not encounter groundwater.

In response, Mr. Klaskin clarified that the concern raised by Mr. Trinkaus was not about infiltration testing, but the use of the infiltrator for percolation testing. He added that soil classifications in the area suggest a seasonal high-water table closer to three feet, and suggested that recent dry conditions may have affected observed groundwater levels.

Ms. Cahill expressed concern to the applicant's engineer regarding the proposed 15% driveway slope, noting that the Commission had previously discussed concerns about utilizing the maximum allowable grade and suggested that comparisons to steeper, grandfathered slopes may not strengthen the application. She also asked Attorney Slater about the process for accepting the petition to intervene. Mr. Slater responded that the Commission may handle intervention petitions in different ways, explaining that while an initial determination can be made as to whether the petition raises environmental concerns within the agency's jurisdiction, it is also common in a public hearing setting to allow the information into the record and make a final determination as part of the overall decision regarding environmental impact.

Ms. Cahill commented that it would have been helpful for the Conservation Commission and Inland Wetlands and Watercourses Agency to address the environmental concerns earlier in the process. She noted the difficulty the Commission faces in evaluating conflicting opinions from two engineers and encouraged the applicant and the petitioner to work together to resolve outstanding issues before the next meeting.

An individual on Zoom asked about the Griswold and Main project, but Mr. Zanolungo clarified that the matter is already closed and no further public comment can be considered. Mr. Slater confirmed that no additional input can be accepted prior to deliberations. No applicable public comments were received.

The public hearing will continue at the TPZ's 04/21/2026 regular meeting.

2. Application of Ciochini Acres, LLC for a Section 12 Special Permit with Design Review – tourist home – 279 Hopewell Road – Residence AA Zone

Attorney Meghan Hope, representing the applicant and property owner, presented the application. She explained that the 22-acre property is part of the Joseph Preli Farm and Winery, a multi-generational farm operation spanning contiguous parcels at 279 and 233-235 Hopewell Road. Ms. Hope described the existing circa-1914 farmhouse as the proposed tourist home, noting it will remain integrated with the working farm, which includes agricultural production and a public winery. She stated the use is permitted by special permit, that required public hearing signage was posted, and that the tourist home is intended to provide supplemental income while allowing continued farm operations. Ms. Hope outlined operational details including a three-bedroom, one-bath layout, a two-night minimum stay, and restrictions on smoking, parties, and events, with designated quiet hours. She also noted on-site parking is provided and that the location offers proximity to South Glastonbury Village in a rural setting. Mr. Zanolungo added that the application had been previously reviewed by the subcommittee and opened the floor for questions from the Commission.

Mr. Markuszka asked how the property would be advertised and whether it had been rented previously. Ms. Hope stated it would be listed on Airbnb and acknowledged that it had been used

as a short-term rental in the past, with the intent of the application being to bring it into compliance.

Discussion then focused on the definition of a “tourist home,” and whether the application satisfied the zoning language requiring owner occupancy. Mr. Haynes read the definition as “a dwelling, part of which is occupied by the owner of the dwelling as his permanent residence, in which overnight accommodations are offered or provided for compensation to two or more transient persons and up to a maximum of six persons.”

Ms. Jagel raised concern that the application does not comply with the current wording, emphasizing that the dwelling being rented is not the owner’s permanent residence. She stressed that, regardless of the perceived merit of the proposal, the Commission still has an obligation to apply the regulations as written and questioned how the standard could be met under the existing definition. Ms. Caltagirone explained that the owner resides on the property but not in the rented structure, and described the situation as unusual with two residential structures on one property. She referenced prior similar approvals involving farm properties and acknowledged difficulty in applying the current definition consistently. Mr. Haynes added that the definition is outdated and difficult to apply, particularly around “owner-occupied” language, and said that updates to the zoning regulations are underway to address short-term rental uses.

Mr. Zanlungo and Ms. Anderson expressed support for a more flexible interpretation focused on intent and practicality during the ongoing regulatory update process. Mr. Zlotnick expressed a literal interpretation of the definition, emphasizing that it requires the owner to occupy the dwelling itself as a permanent residence and questioning whether the application complies as written. Ms. Cahill supported moving the application forward in principle but raised concerns about consistency with prior approvals and suggested consideration of a one-year approval condition to address regulatory uncertainty. Mr. Slater noted that while the definition may be outdated and under review, the current language remains in effect and could support denial depending on how it is interpreted and applied.

Ms. Cahill cautioned that a variance approach may not be appropriate and reiterated concern that, without a time limitation such as a one-year condition, any approval could effectively become permanent. She asked whether the applicant would be willing to proceed under a one-year approval framework while the zoning rewrite is underway

Mr. Desmarais said that if the application were denied, the property could potentially continue operating under existing short-term rental use and return for approval after anticipated regulatory updates, minimizing disruption during the interim period. Mr. Haynes explained that zoning revisions are being considered in phases, with early updates potentially addressing outdated language in the “tourist home” definition, particularly the “permanent residence” requirement, while broader short-term rental policy would likely be addressed in a later phase. He suggested that a quicker resolution would likely require narrowing or revising the definition itself as part of an initial update. Ms. Caltagirone recommended that the Commission place the “tourist home” definition on a future agenda and forward comments to the zoning code steering committee to help guide ongoing revisions, which received general support from commissioners as a way to move the issue into the formal rewrite process.

Mr. Zanolungo noted the procedural constraints of the open public hearing and reiterated that the Commission needed to determine how to proceed. Ms. Caltagirone outlined available options, including continuation, withdrawal, or closing the hearing and rendering a decision.

The commission recessed at 8:25 p.m., returning at 8:35 p.m.

Ms. Hope requested that the public hearing remain open and to be continued in order to regroup and determine next steps, including coordination on the subsequent agenda item.

Chairman Zanolungo stated that the application would be continued to the 04/21/2026 TPZ meeting.

3. Application of the Schneider Family Living Trust for a Section 12 Special Permit with Design Review – tourist home – 58-60 Tryon Street – Residence AA Zone

The application of the Schneider Family Living Trust for a Section 12 Special Permit with Design Review (Tourist Home, 58-60 Tryon Street, Rural Residence Zone) was opened, then promptly continued, following the prior discussion regarding tourist home definitions and related procedural considerations raised with Attorney Hope.

As requested by Attorney Hope, Chairman Zanolungo stated that the application would be continued to the next TPZ meeting on 04/21/2026.

REGULAR MEETING

1. Acceptance of the Minutes of the March 17, 2026 Special Meeting

Motion by: Commissioner Markuszka

Seconded by: Vice Chair Jagel

Result: Motion passed {5-0-1}, with Mr. Zlotnick abstaining.

2. Application of Erin M. Mulcahy (Mulcahy Irish Dance) for a Section 12.8 Change of Use from personal services to dance studio - 313 New London Turnpike - Town Center Zone

Attorney Meghan Hope presented a proposal for a change of use for the first floor and basement of 313 New London Turnpike to establish an Irish dance studio. She said the property is located in the Town Center Zone and that the Commission has previously allowed similar recreational and athletic-type uses in the district.

Ms. Hope explained that the 0.24-acre site is part of a larger, consolidated center owned by the same entity that also controls adjacent parcels, including the One Stop Shopping Plaza and a nearby corner building on Sycamore Street, as well as an additional detached building behind the plaza. She referenced a 2006 Section 12 Special Permit with Design Review, under which the

Commission approved a consolidated site plan, shared parking arrangement, and required cross-easements and a recorded joint parking agreement across the properties, along with an 18% parking waiver.

Ms. Hope described the existing building at 313 New London Turnpike as a two-story structure with frontage and access from Washington Street and connectivity to the shared parking area, which includes approximately 10 on-site spaces and additional shared parking within the center. She presented floor plans showing a 621-square-foot footprint, with the first floor largely open for dance instruction aside from a bathroom, and the basement including a small studio space and office. She also clarified a prior narrative error regarding basement use and provided details on class structure ranging from early childhood to adult instruction with varying enrollment and evening hours. Ms. Hope also reviewed a consolidated parking analysis, noting that when all uses within the center are calculated together the site requires approximately 160 parking spaces while 167 are provided, and that even accounting for the previously approved waiver, the overall parking supply remains sufficient to support the proposed use.

Mr. Zanolungo inquired whether any parking spaces were designated for specific tenants, to which Mr. Haynes responded that only limited informal/temporary designations exist and most spaces are shared. Ms. Jagel asked about traffic circulation and drop-off patterns, and Ms. Hope explained that operations could include staggered class times, anticipated parent drop-off and pick-up behavior, and potential management measures such as signage or parking instructions for students. Discussion also included possible circulation concerns related to site access points, with Ms. Jagel suggesting whether directional flow (one-way circulation) might be beneficial, which Ms. Hope indicated could be discussed with the landlord.

Mr. Zanolungo asked whether snow removal and winter conditions had been considered. Ms. Hope responded that the landlord is responsible for snow removal and maintenance of the parking areas, and that there are areas on-site where snow can be stored without displacing usable parking.

Ms. Lucas inquired about summer programming and whether it would create higher peak demand. Ms. Hope stated that summer classes do occur but are generally smaller and less intensive than the school-year schedule, and she did not anticipate summer programming to increase peak parking demand.

Mr. Zlotnick raised questions regarding building access and egress, specifically asking about access to the second floor and basement. Ms. Hope confirmed that the second floor is not included in the current lease but may be considered for future office-type uses and has a separate entrance. In response to follow-up questions regarding the basement, Ms. Hope stated that there is one existing egress point and that additional egress or accessibility requirements, if necessary, would be addressed during the building permit review process.

Mr. Haynes said that peak activity in the surrounding plaza generally occurs during lunchtime and referenced the use of temporary signage in certain areas to facilitate short-term parking for quick pick-up or take-out activity. He further explained that, under the Town Center Zone, change-of-use applications are evaluated based on whether parking requirements are satisfied, and noted that there is no specific parking standard for a dance studio use, which is why the

applicant relied on comparable personal service and recreational use categories. He also explained that the relatively small building size (approximately 621 square feet) limits intensity of use and contributes to a self-regulating occupancy level, and that the analysis also allows for an updated tenant-based parking calculation, including assignment of the second-floor space to a potential future office use.

Mr. Zanolungo referenced prior subcommittee discussion and raised concerns regarding parking operations, including how the shared parking system functions during peak periods when multiple classes may begin or end at the same time, as well as how winter conditions impacted available parking during a prior snow event when several spaces were obstructed. He also expressed interest in understanding circulation and overall site functionality under shared-use conditions.

Ms. Jagel asked about drop-off behavior and whether parking spaces would typically remain occupied for the duration of classes. Ms. Hope responded that snow removal is the responsibility of the landlord under the lease, and that snow can be stored in areas of the site without displacing usable parking spaces. She further explained that classes are staggered and that the applicant could consider adding a short gap between classes to reduce overlap. She said that parent drop-off patterns vary by age group and year to year, including carpooling and some parents remaining on-site depending on student age.

Mr. Zanolungo also suggested that the applicant coordinate with the adjacent bicycle business regarding parking usage, noting that portions of that lot are used by employees and customers and that communication with neighboring tenants would be beneficial to overall site operation. Mr. Zlotnick again asked about building access and specifically whether there was a separate exit from the basement and how egress requirements would be handled. Ms. Hope responded that the basement has a single egress point, and that following approval, the project would proceed to the Building Department for a building permit, where any required additional egress or accessibility improvements would be addressed, including potential requirements for a handicapped-accessible parking space and, if necessary, an additional egress solution.

No further questions or comments were raised by the commissioners.

Motion by: Secretary Cahill

Seconded by: Vice Chair Jagel

MOVED, that the Town Plan and Zoning Commission approves the application of Erin M. Mulcahy (Mulcahy Irish Dance) for a Section 12.8 Change of Use from personal services to dance studio at 313 New London Turnpike within the Town Center Zone, per plans on file with the Office of Community Development and in adherence to:

1. The Health Department Memorandum dated March 30, 2026.
2. The Police Department Memorandum dated 03/26/2026.
3. The Fire Marshal Memorandum dated April 2, 2026.
4. The Engineering Department had no comments.

And in adherence to the following standard conditions of approval:

- a. Prior to the issuance of a Building Permit, the applicant shall file the approval letter, TPZ motion of approval, and department memoranda on the land records in the Town Clerk's Office.
- b. 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 passed unanimously {6-0-0}.

3. Deliberations on the Application of Main St Group, LLC for site plan approval for a CGS 8-30g Affordable Housing Development - construction of five, 3-4 story apartment buildings with 266 units & site amenities - 95 & 131 Griswold Street & 2938 Main Street - Planned Travel Zone

Motion by: Secretary Cahill

Seconded by: Vice Chair Jagel

MOVED, that the Town Plan & Zoning Commission APPROVES the application of Main St Group, LLC for site plan approval pursuant to CGS Section 8-30g for construction of five, 3-4 story apartment buildings with 266 units & site amenities – 95 & 131 Griswold Street & 2938 Main Street – Planned Travel Zone, in accordance with plans on file with the Office of Community Development (revision date 2/6/26), and in accordance with the following conditions of approval:

1. In compliance with:

a. The recommendations of the Architectural and Site Design Review Committee (ASDRC) from their meeting on December 16, 2025, as follows:

- i. Add larger canopy trees or more columnar trees to the entrance drive. Try to close the gap on the west side of the entrance drive.
- ii. Avoid planting hydrangea in areas of direct sunlight.
- iii. Update specification sizes on revised plant schedule.
- iv. Add color palette to final elevations.
- v. The applicant will come back for Administrative or ASDRC Subcommittee approval for monument sign.
- vi. Wall mount lights W-2 and W-3 are too powerful at 13.3-foot candles and 12 feet away 1 foot candle signifying the fixture may not be appropriate.

b. The conditions set forth by the Conservation Commission in their recommendation for approval to the Town Plan & Zoning Commission documented in the Environmental Planner's memorandum, dated January 15, 2026, as follows:

- i. Permittee is responsible for the proper installation and consistent monitoring of the sediment and erosion controls and stabilization measures. Permittee or designee shall appoint a qualified party to inspect the sediment and erosion controls and stabilization measures a minimum of once a week and within 24 hours prior to a forecasted rain event, and within 24 hours of the end of a weather event producing a rainfall amount of 0.5 inch or greater, to be conducted throughout the construction phase and until the site is vegetatively stabilized. The qualified party shall submit written erosion and sedimentation control inspection reports to the Environmental Planner within three days of inspection, or prior to the next forecasted rain event, whichever is sooner. The qualified party shall provide written confirmation when the erosion controls are initially installed. Necessary repairs shall be conducted within 48 hours of inspection. The Environmental Planner or Compliance Officer are authorized to require additional erosion controls.
 - ii. The Erosion and Sedimentation Control Plan, the Construction Sequence and the Stormwater Operation and Maintenance Plan shall be stringently adhered to.
 - iii. A pre-construction meeting with town staff is required prior to conducting any activities on the property. The Permittee or designee shall contact Community Development staff to coordinate the meeting.
 - iv. Changes to the stormwater management facilities within the upland review area, as detailed in the January 8, 2026, Engineering Department review (comment #4) shall be provided to IWWA staff to be documented in the IWWA record for permit #2025-007. The IWWA will not require a separate application for this revision and allows staff to document the change, thereby not affecting the Town Plan & Zoning Commission application timeline.
 - v. Prior to requesting a Certificate of Occupancy:
 - a) The landscape architect of record shall provide written certification to Community Development staff confirming that the plantings are installed according to the approved plan. The certification is to include a list of species and/or quantity substitutions.
 - b) The engineer of record shall provide written certification to Community Development staff confirming that the drainage systems are installed according to the approved plans. The certification is to include any site modifications completed in the field not shown on the approved plan.
 - c) The private stormwater management systems shall be recorded on the land records, as directed by Community Development staff.
 - d) Engineered drainage systems certification from the engineer of record confirming the drainage systems are installed according to the approved plans. The certification is to include any site modifications completed in the field not shown on the approved plan.
 - vi. Area of disturbance is limited to the area shown on the site plan.
 - vii. The Engineering Department comments dated January 8, 2026, shall be addressed to the satisfaction of the Town Engineer.
- c. The conditions set forth by the Inland Wetlands and Watercourse Agency in their wetland approval, dated September 11, 2025, as follows:**

- i. Permittee is responsible for the proper installation and consistent monitoring of the sediment and erosion controls and stabilization measures. Permittee or designee shall appoint a party that the Town deems to be qualified to inspect the sediment and erosion controls and stabilization measures a minimum of once a week and within 24 hours prior to a forecasted rain event, and within 24 hours of the end of a weather event producing a rainfall amount of 0.5 inch or greater, to be conducted throughout the construction phase and until the site is vegetatively stabilized. A weekly written inspection report is required, using a form approved by the Environmental Planner, all reports shall be submitted to the contractor and the Environmental Planner either within three days of inspection, or prior to the next storm event, whichever is sooner. All breaches and deficiencies shall be forwarded to the contact individual, as defined below, immediately after inspection and repair to any such breaches or deficiencies shall be completed within 24 hours, or unless deemed to be conducted sooner by the Environmental Planner or Compliance Officers, of such notice from the sediment and erosion control inspector. The costs of said inspection to be borne by the applicant.
- ii. The scope of work and area of disturbance are limited to that shown on the above-referenced plan. The Environmental Planner is to be notified of any proposed changes to the approved site plan, prior to conducting the work as additional permits may be required.
- iii. Prior to requesting a building permit:
 - a) A pre-construction meeting is required to be held with the Community Development Staff prior to conducting any site work.
 - b) The name and phone number of the contact person who is responsible and available to receive notices and effectuate repair of any breaches or deficiencies of sedimentation and erosion controls shall be provided.
 - c) The clearing limits shall be field located and marked with flagging tape or survey stakes.
 - d) The surveyor shall provide written notification to the Environmental Planner that the surveyed clearing limit is accurate and consistent with the approved plans.
 - e) Per Section 13 of the Inland Wetlands and Watercourses Regulations of the Town of Glastonbury, a bond covering the costs of erosion and sedimentation controls shall be filed with the Office of Community Development prior to the commencement of activities covered in this permit. The amount of the bond shall be determined by the Office of Community Development.
- iv. Once the clearing limit is accepted by the Community Development Staff the trees within the approved development area may be cut. The erosion controls are to be installed within two days of cutting the trees and then the stumps may be removed. The engineer of record shall provide written notification to the Environmental Planner that the erosion controls are installed properly and are consistent with the approved plans.
- v. Prior to requesting a Certificate of Occupancy:
 - a) The soil scientist of record shall provide written certification to the Environmental Planner confirming that the wetland remediation is complete and consistent with the approved plan.
 - b) The landscape architect of record shall provide written certification to the

Environmental Planner confirming that the plantings are installed according to the approved plan. The certification is to include a list of species and/or quantity substitutions.

- c) The engineer of record shall provide written certification to the Environmental Planner confirming that the drainage systems are installed according to the approved plans. The certification is to include any site modifications completed in the field not shown on the approved plan.
- d) The private stormwater management systems shall be recorded on the land records, as directed by the Environmental Planner.
- vi. Lack of compliance with any stipulation of this permit shall constitute a violation of the permit and the inland wetlands and watercourses regulations and the Town may initiate enforcement action.
- vii. If the Permittee sells or conveys this property prior to the completion of activities that are allowed by the Agency permit, then said permit shall be assigned or transferred pursuant to Section 11.7 of the Town's wetlands regulations.
- viii. The permit is valid for 5 years from the date of issuance and shall expire on September 11, 2030.

d. The conditions set forth in the Water Pollution Control Authority (WPCA) approval letter, dated December 13, 2024, as follows:

- i. Applicant is required to submit to the WPCA an Engineers Statement Certification that the on-site sanitary sewage pump station equipment, tanks, pumps, and timers have been inspected and are functioning as designed. Certification shall also include verification that the timers are discharging at the off-peak hours determined by the Sanitation Superintendent between 10pm and 7am. Annual inspection shall be received no later than December 31 of the inspection year. Certification is required to be stamped and signed by a State of Connecticut Licensed Engineer. Submittal non-compliance will result in revocation of the sanitary discharge authorization.
- ii. Applicant is required to install and record sanitary sewer flow meter data for two-year period once occupancy is at or near full of on-site sanitary sewage retention system discharge. Sewer flow meter recorded data shall monitor daily sewage discharge volumes, discharge timing and duration. Flow meter data is to be submitted quarterly for review in format acceptable to the Sanitation Superintendent.
- iii. A permanently installed, properly sized standby generator is required to be installed to serve the private on-site sewage pump station as depicted on the plans.
- iv. Discharges of the swimming pool wastewater to the publicly owned treatment works (POTW) sanitary sewer requires a general permit from the Connecticut Department of Energy and Environmental Protection Agency (CT DEEP).
- v. If proposed clubhouse is to provide a kitchen facility for the preparation of food, applicant is required to conform to the grease management requirements outlined within the sanitary sewer impact report policy.
- vi. Development may require the execution of a Community Sewage System Agreement as defined in C.G.S. Chapter 103, Section 7-245 prior to issuance of a Certificate of Occupancy.

e. The conditions set forth in the Town Engineer’s memorandum to the Town Plan & Zoning Commission, dated February 26, 2026, as follows:

- i. Underground Storage System 1A (UGS 1A) and Underground Storage System 1B (UGS 1B) store and infiltrate the majority of the required Water Quality Volume (WQV) for the project. To enhance both systems’ ability to infiltrate stormwater, the applicant proposes to over excavate two (2’) to three (3’) feet of existing soil and replace it with “suitable fill material” that will act as the subbase of the underground storage systems. The design engineer should clearly define what soils and/or aggregate would be considered suitable prior to submittal of building permit application. Please refer to the requirements for “Fill Materials” found in Chapter 10 of the Connecticut Stormwater Quality Manual (found on page 193).
- ii. Riprap apron calculations have been added to Sheet 2.21. Permanent installations of riprap aprons are to be based on criteria detailed in the CT DOT Drainage Manual. Per table 11-12.1 and 11-13.1, the minimum length (L_a) of riprap aprons downstream of a 12” or 15” pipe should be 10 feet. Also, the initial width (W_1) and final width (W_2) of a type ‘B’ riprap apron should be calculated per Section 11.13.5 of the CT DOT Drainage Manual. The calculations on Sheet 2.21 appear to erroneously be based on criteria for type ‘C’ aprons. The Riprap Apron detail, found on Sheet 3.03, should be updated to correspond with the revised calculations and the naming convention found on Sheet 2.21 prior to submittal of building permit application.
- iii. The dimensions of the level spreader that will dissipate flows from the proposed driveway to Main Street is identified on Sheet 2.21 as being 15’ x 11’. The detail on Sheet 3.03 should be updated to reflect these dimensions prior to submittal of building permit application. The detail should also be updated to show and/or note that the level spreader will receive stormwater via a curb opening and not from a drainage pipe.
- iv. Limits and type of curbing are generally unclear on the plans. Notes and linetype legend should be added to the plans to clarify curbing type and location prior to submittal of building permit application.
- v. The project involves earth disturbance of greater than five (5) acres and will therefore require a Connecticut Department of Energy & Environmental Protection (DEEP) General Permit for the Discharge of Stormwater from Construction Activities. A copy of this permit shall be provided to the Town prior to construction.
- vi. The intersection of the two main access drives located immediately west of the proposed clubhouse has stop control proposed on three of the four approaches, which is somewhat unconventional and may cause driver confusion without appropriate signage indicating which leg is not required to stop. Applicant should consider making this intersection an all-way stop or having the two-side driveways stop controlled with the primary through movement uncontrolled prior to submittal of building permit application.
- vii. A lot consolidation plan shall be submitted to the Town prior to final approval. The applicant shall coordinate with the Town on Glastonbury’s engineering staff to determine the site address and unit numbers.
- viii. Several retaining walls are proposed along the outer edges of the property that exceed 4 feet in height and extend up to 9 feet in height. These walls will be highly visible to

- the abutting Brewster Road condominiums and other neighboring properties. The applicant has noted that the final retaining wall details and finishes will be submitted to the Town prior to construction.
- ix. Prior to construction, details for the sanitary sewer pump chambers and grinder pumps to be utilized should be provided to the Glastonbury WPCA for their review.
 - x. The Glastonbury Water Pollution Control Authority issued a Notice of Action letter dated December 13, 2024. Compliance with the notice will be required.
 - xi. The Driveway and Utility Easement that was acquired on #99 Griswold Street should be depicted on the Property and Topographic Survey including the Volume and Page number of the recorded easement prior to submittal of mylars.
 - xii. A sidewalk easement is required for the portion of this sidewalk that extends outside of the Griswold Street right-of-way. Furthermore, the applicant has noted that they would work with the owner of 99 Griswold Street to obtain a similar easement for the existing sidewalk along that property that is outside of the Town's right-of-way. Such easements shall be provided as a condition of Town Plan & Zoning Commission approval and should be recorded at the time of mylar filing for the project.
 - xiii. A completed soil scientist signature block is required on all applicable sheets prior to final approval.
 - xiv. The applicant has noted that a Maintenance and Protection of Traffic (MPT) plan will be required as part of a roadway opening permit along Griswold Street and understand that the permit may include restrictive hours imposed by the Town as per prior comments from this office.
 - xv. Prior to construction, details for the sanitary system generator system should be provided to the Glastonbury WPCA for their review.

f. The conditions set forth in the Town Engineer and Chief of Police memorandum to the Town Plan & Zoning Commission, dated March 13, 2026, as follows:

- i. The Applicant shall design, install, and maintain all signage, pavement markings, and physical measures necessary to establish and preserve enter-only operation at the proposed Main Street driveway, all to the satisfaction of the Director of Engineering and Highways. The opening in the portion of this driveway that allows access to the Five Guys parking lot shall be adjusted as necessary to ensure that the actual delivery vehicle used for this property can be accommodated. Any related site layout, curbline, or channelization details necessary to support the intended one-way operation shall be reflected on the final plans submitted for Town review and approval of the building permit.
- ii. The Applicant shall perform a comprehensive review of traffic signal timing and coordination for the Main Street and Griswold Street traffic signal systems that are affected by the proposed development. The Applicant shall prepare updated timing and coordination recommendations and submit a signal timing plan, together with any associated traffic control signal plan revisions required by the Town, in a form suitable for implementation and for review and approval by the Director of Engineering and Highways prior to issuance of the building permit.
- iii. After one year but no more than two years following implementation of the approved timing changes and 90% or greater occupancy of the site, the Applicant shall conduct

and document field observations, at times and in a manner acceptable to the Town, to evaluate corridor operations and identify any additional timing adjustments warranted by observed conditions.

- iv. The Applicant shall design and install a rectangular rapid flashing beacon (RRFB), a raised intersection at the site driveway on Griswold Street, and the associated improvements to the eastern Naubuc Elementary School driveway necessary to channelize right turns and further restrict prohibited left turns, as shown on final plans approved by the Town prior to issuance of any Certificate of Occupancy. The sidewalk along the site driveway to Griswold Street shall be located on the west side of the driveway, together with any related geometric adjustments to the site driveway and school driveway required to accommodate the approved design. Final construction plans for these improvements shall be prepared in accordance with Town standards and shall be submitted for review and approval by the Director of Engineering and Highways and the Chief of Police prior to issuance of the building permit. Final design shall address, as applicable, grading, drainage, ADA compliance, illumination, signing, pavement markings, emergency operations, maintenance, constructability, and any colored or textured pavement treatments deemed necessary by the Town.
 - v. The Applicant shall provide and fund a school crossing guard for the Griswold Street crossing serving Naubuc Elementary School during the AM and PM school crossing periods, in a manner acceptable to the Town. Prior to issuance of a Certificate of Occupancy, the Applicant shall submit documentation satisfactory to the Town confirming the crossing guard operations plan, including the proposed schedule, responsible party, and funding commitment.
- g. The conditions set forth in Director of Health’s memorandum dated February 27, 2026, as follows:**
- i. Prior to application for demolition permit, an environmental survey, including evaluation for lead and asbestos in the structure, is to be submitted for Health Department review.
 - ii. Application for pool construction is to be coordinated through the State of Connecticut Department of Public Health. Once constructed, the pool will be licensed and inspected by Glastonbury Health Department.
 - iii. The two options proposed for trash collection and disposal are acceptable at this stage. Additional details will be required at building permit application, and will need to provide sufficient information to ensure clean, efficient and proper disposal of all trash, recycling and other material.
- h. The Fire Chief’s memorandum, dated March 13, 2026.**
- i. The Fire Marshal’s memorandum, dated March 12, 2026, with the following conditions:**
- i. Approved Fire Lane signs, markings or notices will be needed in accordance with 503.3 of the CT State Fire Safety Code (CTSFC), Part III and local Ordinance 7.3 prior to submittal of building permit application.

- ii. Key Vaults (Knox Box) are required on each building per local Ordinance 7.2(c) prior to Certificate of Occupancy.
- iii. An additional Fire Hydrant is needed. Spacing between the 2 proposed Fire Hydrants are more than 700 ft. Per CSFSC Part III 507.5.1 that distance should be 400 ft or less. If applying the exception for fully sprinklered buildings, the distance changes to 600 ft. It would serve the Fire Department best if the additional Fire Hydrant was located between buildings 2 & 3. Further design information will need to be reviewed when available (flow data, etc.), and prior to issuance of building permit.

2. In adherence to the following standard conditions of approval:

- a. The applicant will submit an annual report to the Office of Community Development demonstrating compliance with the applicant's Affordability Plan, starting one year from the date of the Certificate of Occupancy and continuing on a schedule set by the Director of Community Development.
- b. Prior to issuance of any building permits related to construction of the subject project, the applicant will file the Town Plan & Zoning Commission approval letter, restrictive covenant describing the affordability plan, conservation easements, utility easements, drainage easements, declarations and covenants pertinent to the approved plans, and mylars on the land records.
- c. Prior to issuance of any building permits related to construction of the subject project, the applicant will submit a stamped sealed paper copy and a digital pdf of the final approved plans.
- d. Prior to the issuance of a Certificate of Occupancy or a Certificate of Approval, the applicant shall submit an as-built survey with a zoning table.
- e. Prior to the issuance of a Certificate of Occupancy or a Certificate of Approval, the applicant shall file the following certifications:
 - i. Engineered drainage systems certification from the engineer of record confirming the drainage systems are installed according to the approved plans. The certification is to include any site modifications completed in the field not shown on the approved plan.
 - ii. A landscape design certification from the landscape architect of record that the plantings are installed according to the approved plans. The certification is to include a list of species and/or quantity substitutions.
 - iii. Lighting design certification from the engineer of record or lighting professional confirming the lighting is installed according to the approved plans. The certification is to include any site modifications completed in the field and not shown on the approved plan.
 - iv. Affordable Housing Program certification from the Town Plan & Zoning Commission approved Affordable Housing Program Administrator confirming that all aspects of the program are in effect and in compliance and that the affordable housing units are accurately noted on the site plan.
- f. Prior to filing final mylars on the land records, the applicant will revise their affordability plan and add a note to finalized plans to document the applicant's proposal to make ten

(10) of the two hundred sixty six (266) units affordable in perpetuity at 80% of the AMI provided that no appeal is taken on either an approval or denial of the application.

- g. 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.

Amendment by: Secretary Cahill

Seconded by: Commissioner Markuszka

To amend the motion to read, “The development access driveway shall be moved to the Griswold Street Mermaid Pool location.”

Discussion: Ms. Cahill stated she would also be reading a 10–15 minute statement in support of the motion and in explanation of her position.

During her remarks, Ms. Cahill paused to request confirmation from Mr. Slater regarding her description of the 8-30g legal standard, specifically identifying the following framework as “tests”:

1. “Whether Glastonbury is subject to this law because its affordable housing stock is less than 10%,”
2. “Whether the application can be denied because it is necessary to protect substantial public interest in health, safety or other matters which the Commission may legally consider,”
3. “Whether the project is still approvable based upon reasonable mitigation to protect these safety interests.”

Attorney Slater confirmed the applicable framework for the record.

Ms. Cahill also requested confirmation from Attorney Slater regarding the definition of an “expert” for purposes of the record, specifically asking him to confirm whether his prior definition, as reflected in the previous meeting minutes, accurately stated that experts are distinguished by specialized training and experience beyond that of laypersons, such as peer reviewers or engineers in relevant technical fields, and that while elected officials and municipal employees may provide relevant operational insight, they do not qualify as experts. She further asked him to confirm that, as previously stated, all testimony may be considered by the Commission, which is responsible for weighing its credibility and relevance. Mr. Slater confirmed the prior definition for the record.

Ms. Cahill requested that her full statement be entered into the record in its entirety. The statement is included as *Attachment A*.

Ms. Jagel stated that she appreciated Ms. Cahill’s presentation and the effort involved. She then directed a question to Mr. Slater, noting that the proposed amendment was not part of the applicant’s request and that both the Town’s experts and peer review consultants had not supported the alternative driveway location. Ms. Jagel asked how the Commission should

proceed if the amended motion were approved, given that the applicant had not proposed that configuration.

Mr. Slater responded that under 8-30g, the Commission must first determine whether there is an outstanding public health and safety concern supported by more than a theoretical possibility and grounded in evidence in the record, and whether such concern outweighs the need for affordable housing such that denial would be warranted. He stated that the proposed amendment effectively combines a denial of the application as submitted with an alternative means of approval, and should be treated in that context. He advised that the Commission could first decide the question of denial based on the concerns raised and then separately consider any alternative configuration, noting that the amendment approach would require the same evidentiary analysis as a denial-level determination.

Ms. Jagel then followed up, asking whether it would be procedurally appropriate for the Commission to first deny the application as submitted and then consider an alternative configuration as a separate step or suggested amendment, and whether that sequencing would be acceptable given that the applicant had not proposed the modification.

Mr. Slater responded that while the ultimate legality of the procedure would be determined upon judicial review, the Commission must base any denial on sufficient evidence in the record under the 8-30g standard. He stated that, in practice, it is more common for a Commission to first make a denial supported by the required statutory findings and then separately consider whether there is an alternative approach that could address the identified concerns. He added that, in his view, that sequencing is procedurally preferable, though either approach could be upheld if properly supported. He further said that, regardless of approach, the applicant would retain the right to appeal a decision that differs from the application as submitted.

Ms. Cahill thanked Attorney Slater for his legal guidance and stated that she supported affordable housing developments, noting that her primary concern was the location of the proposed access driveway. She asked for clarification on the procedural outcome if she were to withdraw her motion and how the Commission would proceed through the 8-30g process depending on whether the application or amended motion was approved or denied.

Mr. Slater responded that if the application as originally submitted were approved, the matter would be concluded. If the Commission instead accepted Ms. Cahill's position that the application should be denied based on a substantial public health and safety concern supported by the record and outweighing the need for affordable housing, the Commission would then proceed to consider whether there is a reasonable alternative or mitigation that could address that concern while allowing the project to move forward. He explained that under that approach, the Commission would first address approval or denial of the application as submitted and, if denied, then take up a subsequent motion considering an alternative configuration, such as relocating the access driveway. He said that this sequencing reflects the more typical procedural path under 8-30g, where the Commission first acts on the application as presented and then considers potential mitigation or alternatives.

Amendment withdrawn by: Secretary Cahill

Second withdrawn by: Commissioner Markuszka

Result: Amendment withdrawn.

Discussion: Mr. Zlotnick stated that the applicant has been working on the project since November 2024 and has participated in over 20 meetings with various Town agencies. He said that, as a result of that process, concerns raised by some departments had been addressed, particularly through the use of third-party consultants on traffic-related issues. He further commented that, in his view, concerns raised by opponents did not demonstrate sufficient quantifiable evidence, but rather reflected general opinion or concern. He acknowledged that there is data and analysis in the record that could support differing interpretations of the impacts, but stated that he did not believe the opposition concerns outweighed the need for affordable housing. He indicated that he would support the application.

Mr. Markuszka stated that the process had been thorough and that the application had been extensively reviewed by Town staff, the applicant, and peer review consultants. He referenced Attorney Slater's explanation regarding the importance of quantifiable evidence under the statutory standard and stated that he did not see sufficient evidence in the record to justify denial of the application. He acknowledged concerns raised by Ms. Cahill but stated that the Commission must rely on the evidence rather than personal opinion. He further expressed concern about exposing the Town to litigation risk in the event of denial and stated that, based on the record, he did not see a justifiable basis to deny the application. He indicated support for approval.

Mr. Flores stated his support for the application as presented.

Ms. Jagel stated that she had reviewed all testimony, including input from Town staff, peer reviewers, and the applicant's experts. She disagreed with the characterization that only paid professionals should be considered experts and stated that she believed testimony from individuals with relevant lived and professional experience should also be considered. She reiterated her primary concern regarding inadequate access to the site and the resulting impacts on surrounding roadways and community safety. She reviewed multiple alternative access locations considered during the application process and stated that, in her view, each presented limitations or constraints that rendered them unworkable or less appropriate. She further expressed concern regarding traffic conditions on Griswold Street and potential impacts to public health and safety. Ms. Jagel stated that while she supports affordable housing, she did not believe it overrides all other considerations under the statute. She concluded that, based on the record, she believed the public health and safety concerns outweighed the need for affordable housing and stated she could not support the application.

Mr. Zanolungo thanked fellow Commissioners, the applicant, Town staff, and members of the public for their participation in the process. He noted his personal familiarity with Griswold Street and acknowledged community concerns regarding traffic conditions. He stated that the Commission's responsibility was to evaluate the application under the 8-30g statutory

framework rather than to determine a preferred outcome. He referenced the traffic study and peer review findings in the record and stated that both concluded that the proposed impacts did not rise to the level of a substantial health or safety concern that would justify denial. He further stated that, in his view, denial of the application would likely result in an appeal and potential reversal based on the record, as well as significant legal costs to the Town. He indicated support for the application.

Result: Motion passed {4-2-0}, with Ms. Cahill and Ms. Jagel voting no.

4. CONSENT CALENDAR

- a. Scheduling of Public Hearings for the Regular Meeting of April 21, 2026: **to be determined**

5. Chairman’s Report *None*

6. Report from Community Development Staff *None*

Chairman Zanolungo adjourned the meeting at 10:11 p.m.

Respectfully Submitted,

Jessica Suwala
Jessica Suwala
Recording Clerk

Attachment A

Tonight's decision on this 8-30g application has taken 2 years of town staff meetings, public hearings, and TPZ Commissioners time to review hundreds of pages of memos, testimony and reports. This application must legally balance Glastonbury's need for affordable housing while protecting the safety, health and welfare for Naubuc Elementary School staff, faculty and children.

I want to thank the public for their testimony, town staff for its work, and the applicant for their efforts on this 8-30g development. I have taken into consideration all of the submitted evidence and testimony and offer my viewpoint.

Mr. Chairman, I would like to amend the motion as follows: "The development access driveway shall be moved to the Griswold Street Mermaid Pool location" and request a second. I would like the opportunity to explain my motion and ask the forgiveness and patience from my fellow Commissioners because I am going to read a 10-15 minute statement about why this motion can and should be adopted.

The 8-30g legal standard is a series of multiple tests. The first test is whether Glastonbury is subject to this law. I am of the opinion that Glastonbury is subject to 8-30g because its affordable housing stock is less than ten percent. The second test is whether the Griswold Street 8-30g application can be denied because of it is necessary to protect substantial public interests in health, safety or other matters which the Commission may legally consider.

If the Commission denies the application, the third test is whether the project is still approvable based upon reasonable mitigation to protect these safety interests.

To deny an 8-30g affordable housing application, the burden shall be on the Commission to prove, based upon the evidence in the record compiled before the Commission that that the decision from which an appeal can be taken and the evidence in the record shall be supported by sufficient evidence in the record.

The application proposes a driveway entrance/exit directly across from Naubuc Elementary School with a one-way entrance onto Main Street. Multiple town departments including the Police Chief, Fire Chief, Assistant Fire Marshall, Board of Education, Superintendent of Schools, Glastonbury Education Association, and Griswold Street/North End resident testimony and 500+ signatures petition have expressed substantial public health, safety welfare concerns locating the primary access driveway directly across from the elementary school. The applicant submitted changes to the development's primary driveway to mitigate these safety concerns.

The applicant's traffic report was peer reviewed at the Town of Glastonbury's request. These experts concluded that the proposed Griswold Street entrance/exit is the preferred option which means it is considered better than the alternative. A professional recommendation is not a legal mandate and does not prohibit TPZ from choosing another access drive configuration based on different specialized knowledge opinions.

The question is whether the applicant's expert opinions about the Griswold Street access driveway sufficiently mitigates public health, safety and welfare concerns expressed by conflicting experts and whether additional reasonable mitigation efforts are necessary to approve the application.

To support moving the access driveway to a different location, proof must come from qualified experts and not just general opinion. Any mitigation to the access driveway must maintain or improve upon the expressed safety concerns.

Attachment A

My opinion is that this 8-30g affordable housing development is approvable subject to reasonable mitigation that moves the Griswold Street access driveway to the existing Mermaid Pool access driveway.

At the TPZ March 17, 2026 public hearing, I asked Attorney Ken Slater to clarify who qualifies as an expert. Per the meeting minutes, Attorney Slater advised that “an expert is distinguished by specialized training and experience beyond that of laypersons, such as peer reviewers or engineers trained in traffic safety matters. He added that elected officials or employees may provide relevant operational insight but do not qualify as traffic experts, though they may possess specialized knowledge or unique, credible information regarding pedestrian and motorist travel to and from the school that the Commission can consider when evaluating traffic safety. The Commission should weigh the evidence and give it the credibility if deserves, even if the person is not formally an expert.”

My motion to move the access driveway to the Mermaid Pool location is based upon specialized knowledge testimony that supports this viewpoint.

- The Glastonbury BOE December 9, 2025 letter expressed serious concern regarding Griswold Street 8-30g planned entrance/exit. The BOE possesses specialized knowledge on school traffic because it works with principals, staff, and the Superintendent of Schools to ensure the health, safety, and welfare of staff, faculty and students. Griswold Street is heavily traveled throughout the school day where vehicles impact morning school arrival at the exact time buses, parent vehicles and staff vehicles converge around the school and the proposed access driveway overlap represents highest-risk period of day for traffic congestion and safety. The BOE is an advocate for the safety and well-being of students and it urged a safer alternative access driveway that doesn't place additional risk on children and school employees.
- Doug Foyle, Chair of the BOE and Government Department Chairperson at Wesleyan University, possesses specialized knowledge in education and school public health, welfare and safety issues. At the January 20, 2026 public hearing, Mr. Foyle expressed support for Naubuc Elementary School community's safety concerns about the Griswold Street access drive placement. He stated that Griswold Street is heavily traveled and that families, staff, and neighbors consider the additional traffic to pose an unacceptable safety risk.
- Superintendent of Schools Dr. Alan Bookman possesses specialized knowledge in public health, safety and welfare concerns concerning Glastonbury's public school system based upon his professional career as a teacher, 19 years as a as high school principal and as Superintendent for 22 years. Dr. Bookman expressed substantial public health, safety and welfare concerns regarding the Griswold Street entrance/exit driveway.
 - At the BOE's January 5, 2026 budget workshop, Dr. Bookman stated concerns about getting buses into Naubuc Elementary school if the access drive is directly across the street.
 - “That one time is a real concern and I think the town would be making a big mistake adding that much traffic to that street at that particular time.”
 - At the January 20, 2026 TPZ public hearing, Dr. Bookman stated traffic safety is a major concern in relation to student pick-up and drop-off, students would need

Attachment A

to walk from their units onto Griswold Street to access busing which is a safety risk due to congestion from buses, parents, and staff arriving simultaneously. While walking to school is not prohibited, parents post-Covid 19 drive children to school due to Naubuc Elementary School traffic and safety concerns. “Parents head out to work at same time as student/faculty/staff arrivals. The school district doesn’t provide busing into and out of private developments.”

- “This is dangerous.” Teachers already come in early because traffic is bad. In addition to teachers, you have buses and parents dropping off at the same time. “It’s not going to be workable.”
- Dr. Bookman’s March 9, 2026 memo Point #3 states “the major issue of traffic in the morning has not been determined yet by the developers. This has been my main focus. With hundreds of residents trying to exit onto Griswold Street as our staff and parents are trying to get into one of the two parking lots is simply unsafe and unworkable.”
- Naubuc Elementary School Principal Dr. Michael Litke possesses specialized knowledge based upon his 27-year education background, and 40th President of the Connecticut Association of Schools. Dr. Litke’s has 19 years of elementary school leadership experience across a variety of school districts including Colchester, East Hartford and Glastonbury. He has been the principal of Naubuc Elementary for the past thirteen years. At the TPZ January 20, 2026 public meeting, Dr. Litke stated:
 - Concerns about traffic safety during afternoon dismissal.
 - Vehicle travel in the opposite direction often exceed speed limit.
 - Based on his experience, pulling out of school parking lot during rush hour is already challenging.
 - The proposed development could exacerbate these conditions.
 - “Griswold is heavily congested.” In his experience, traffic backs up past the school all the way to Walgreens. “I think it’s an accident waiting to happen.”
 - Expressed concerns the proposed access drive will increase safety risks and congestion near the school.

Kristen Basiaga, who possesses specialized knowledge as President of the Glastonbury Education Association, a professional union representing over 500 educators in Glastonbury, stated at the TPZ January 20, 2026 public hearing:

- Deep concern for the safety of students, faculty and staff because Naubuc Elementary School is already significant traffic problem.
- Teachers often unable to leave. There is parking congestion until 3:45 pm that can impact other school with later start times.
- Student and staff safety must remain a priority.

Assistant Fire Marshall Michael Giantonio, is an expert with specialized knowledge in fire and safety related to Glastonbury traffic, stated in his January 15, 2026 memo:

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- “I have strong concerns for public safety with regard to Griswold Street, which is the two-lane road that fronts proposed development.” Griswold Street is a main road providing commuter access to a largely populated area bordering East Hartford and points east out towards Manchester and is used as such.
- There are times every day (maybe not Sundays) where gridlock occurs on this road, especially in the area of Brewster Condominium to the Rt. 2 overpass.
- “Because there are no turning lanes or extra road width in this area, emergency vehicle may not be able to get through the traffic or they will be delayed during these times of gridlock. In a fire, medical emergency or police emergency delay by means of traffic congestion when it can be prevented and corrected is not acceptable.”
- He agreed in a March 12, 2026 memo that the “applicant demonstrated through their traffic study that the proposed development will not substantially increase congestion on Griswold Street.”
- However, Acting Fire Marshall Giantonio’s agreement on traffic congestion did not negate his public health, welfare and safety concerns regarding the access driveway entrance. His March 12, 2026 memo states:
 - “I have public safety concerns regarding Griswold Street, which is an existing two-lane road that fronts the main driveway of the proposed development. There are times every day (maybe not Sundays) where gridlock occurs on this road, especially in the area from Brewster Condominium to the Rt 2 overpass. Because there are no turning lanes or extra road width in this area, emergency vehicles may not be able to get through the traffic, or they will be delayed during these times of gridlock. In a fire, medical emergency or police emergency delay by means of traffic congestion when it can be prevented and/or corrected is not acceptable.”

Chief of Police Marshall Porter, with specialized knowledge in police public safety issues, on February 26, 2026 expressed agreement with Tighe & Bond’s peer review, provided background on past property development proposals, and provided TPZ with multiple conditions for project approval.

Finally, TPZ has heard from Glastonbury’s North End residents who expressed strong support for this affordable housing development. However, residents have testified about significant public health, welfare, and safety concerns through public hearing testimony, emails, and petitions containing over 500 signatures. Their concerns are solely focused on the Griswold Street access driveway.

Some may not consider these residents experts in the traditional sense via education, certificates, or professional work. However, Marisa Tomei’s iconic “My Cousin Vinny” scene about auto mechanics provides context on how an individual can be considered to have specialized knowledge based on personal experience.

I submit that Glastonbury’s North End residents have specialized knowledge based upon their firsthand everyday experiences with Griswold Street traffic conditions. Their public hearing testimony about traffic gridlock during the morning and evening rush hours, cars speeding, parents dropping off and picking up their children during school hours because of unsafe traffic conditions, and personal incidents where residents were almost injured is evidence that the

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proposed Griswold Street proposed access driveway presents an unacceptable public health, welfare and safety risk for elementary school staff, faculty, and children. I note that the applicant's traffic study documents that cars travel at an average 29 miles per hour against the posted 25 miles per hour limit. I hear you and the residents are not nobodies.

I must balance the applicant's experts against the specialized knowledge testimony of Dr. Bookman, BOE Chair Doug Foyle, Glastonbury Education Association President Kristen Basiaga, Assistant Fire Marshall Michael Thurz, and North End residents citing significant public health, safety and welfare concerns opposing the Griswold Street access driveway directly across from Naubuc Elementary School.

TPZ is in the difficult position of weighing dueling expert opinions. Although the applicant has demonstrated that Griswold Street traffic does not substantially increase congestion, the real issue is whether the access driveway continues to pose a substantial public health, welfare and safety issue despite the raised crosswalk, RRFB signal, and crosswalk guard. I submit that these mitigation efforts do not effectively protect school staff, teachers, and children based upon the specialized knowledge testimony submitted by Superintendent of Schools Dr. Alan Bookman, BOE Chair Doug Foyle, Naubuc Elementary School Principal Michael Litke, the Glastonbury Education Association, Assistant Fire Marshall Michael Giantonio, and neighborhood residents. The Griswold Street access driveway poses a clear and present danger to Naubuc Elementary School staff, teachers, and its children.

I strongly support this 8-30g affordable housing application conditioned upon approval of my motion which is a reasonable mitigation that protects the public health, safety and welfare of Naubuc Elementary School teachers, staff and children. Previous development proposals at this site had an approved Mermaid Pool access driveway that were significantly larger in traffic scope. Mermaid Pool was initially proposed as the project access driveway in the applicant's October 18, 2024 traffic report and the applicant's traffic experts supported this access driveway.

Although the current Griswold Street access driveway is the preferred location, it is not mandatory, has unacceptable public health, welfare, and safety concerns, and the Mermaid Pool access driveway is a reasonable mitigation. If protection of our Naubuc Elementary school community isn't a reasonable mitigation, then nothing qualifies. This is an approvable project with my motion. It provides stronger legal protection to a lawsuit than an application denial. I thank my fellow Commissioners and request that my entire statement be transcribed into the record.