

**PLANNING & ZONING COMMISSION
TOLLAND, CONNECTICUT
REGULAR MEETING MINUTES OF JUNE 9, 2025**

MEMBERS PRESENT: Andy Powell, Chair
Joe Matteis, Vice Chair
Erin Stavens
Amanda Hickey
Brian Mead, alternate

OTHERS PRESENT: Michael D’Amato, AICP, CAZEO
Erik Bushey, applicant
Megan Massa, Projects/Grants Manager
Beverly Bellody, Director of Human Services
Marilee Beebe, Town Council Liaison
Kate Shelton, Senior Manager, CT Green Bank
Public

1. **Call to Order:** Andy Powell, Chair, called the meeting to order at 7:03 p.m. in Council Chambers.
2. **Pledge of Allegiance:** Recited.
3. **Seating of Alternate(s):** Mr. Powell seated alternate member Brian Mead for Joel Lopez.
4. **Additions to Agenda:** None.
5. **Public Comment:** None
6. **Public Hearing(s)**

6.1 PZC #25-2 - 393 Crystal Lake Road – Special Permit per Section 17-2.D.1 of the Zoning Regulations for a 1,500 square foot accessory structure in excess of the footprint of the principal structure. Zone: Residential Design District. Applicant: Erik Bushey. *Continued and Re-Advertised from Monday, May 12, 2025.*

Ms. Hickey read the legal notice. Mr. Powell noted this was a continuation of the public hearing that had been opened at their last meeting. He confirmed that no further information came forward in the meantime and that the applicant and Commission had no additional concerns.

The public hearing was opened to public comment. Leighann Attardo, an abutter at 389 Crystal Lake Road, asked if a privacy fence between their properties was still an option. Mr. Bushey said he will put up a fence right behind the building. He noted there is a tree line there and he can put up a fence if they want to take the trees down. Mr. Matteis noted to Ms. Attardo that they don’t have a fence requirement in their regulations, but it sounds like Mr. Bushey is willing to work with her. Ms. Attardo said she has no issue with him putting up the structure.

David Attardo, also of 389 Crystal Lake Road, asked if any additional drainage would be done around the building. He said both their yard and the Bushey’s yard get a lot of water. Joe Matteis said drainage is not traditionally put in when a building is on a slab as this one will be. Mr. Attardo

said he was concerned about water runoff from the roof. Mr. Matteis asked if there is storm water or roof leader requirements. Mr. D'Amato said there are none for accessory buildings.

Mr. Bushey said he will work with the neighbors regarding a fence. He said he planned on putting up a fence anyway for his dogs, and he can work with them on a privacy fence if they like.

There were no further questions or comments.

MOTION: Erin Stavens/Brian Mead to close the public hearing. Mr. Mead, Ms. Stavens, Ms. Hickey, Mr. Matteis and Mr. Powell voted in favor. Motion carried.

7. **Old Business**

7.1 Possible Action on PZC #25-2 – 393 Crystal Lake Road

MOTION: Joe Matteis/Erin Stavens to approve the Special Permit per Section 17-2.D.1 of the Zoning Regulations for a 1,500 square foot accessory structure in excess of the footprint of the principal structure at 393 Crystal Lake Road. Ms. Stavens, Mr. Mead, Ms. Hickey, Mr. Matteis and Mr. Powell voted in favor. Motion carried.

Mr. Matteis asked Mr. D'Amato that because they are looking at their zoning regulations, if he could make a note that they look into large lot accessory structures to not have to require a Special Permit up to a certain size if the home is smaller home. Perhaps they could base it off acreage or other certain situations and just require staff approval.

8. **New Business**

8.1 8-24 Referral for Sidewalks along Route 195 between Interstate 84 and the Tolland Green. Megan Massa, Projects/Grants Manager for the Town of Tolland said they were looking into the feasibility and potential grant funding for sidewalks on both sides of Merrow Road. She said pedestrian safety and accessibility are very important on this tight, busy road. They plan to apply for monies through the Local Transportation Capital Improvement Program (LOTICIP) which is a Department of Transportation (DOT) fund. Should they get a grant, it will cover 100 percent of the construction project, although some contingencies will be involved. The Town would be responsible for design costs.

Ms. Massa said they hired Cardinal Engineering to do a basic design, but they don't want to do a final plan as the DOT will want to rework it. It is a complex design with ledge and drainage issues to consider. She noted also that there are houses close to the road and they are proposing some retaining walls in the plan.

Mr. Matteis asked how this would affect landscaping for area businesses. Ms. Massa said they will have to see where the sidewalk placement will be and will work that out when the time comes. Mr. Matteis said this type of plan came to the PZC once in the past and he questioned where the value is in doing walkways on both sides of the road. He said pedestrians have to cross the road anyway and they don't have any sidewalks on one side of the road. He added that from here to Anderson Automotive there are all residences. Ms. Massa said the idea was to provide equitable access for businesses on both sides of the road.

Mr. Matteis asked who would maintain the walkway. He said if the sidewalk is not accessible the entire way on one side, it doesn't make sense to do sidewalks on both sides.

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Ms. Massa said the property owners in front of the sidewalks would be responsible for clearing snow where it passes their homes. She said the Capitol Region Council of Governments (CRCOG) expressed a preference for doing both sides to avoid back and forth crossing where that can be accommodated. She said they are trying to focus on giving equal access on both sides and said they don't see a downside if the construction will be paid for by the grant. Mr. Matteis said it will cost the town twice as much.

Mr. D'Amato said the cost to the town would only be for maintenance since all of the construction and drainage costs would be covered. He said CRCOG's interest is that decades from now, these concrete sidewalks will be there when the town is more fully built out. Mr. Matteis argued that concrete doesn't last decades as salt does damage to it. He said doing both sides will increase maintenance costs. Ms. Massa said that according to public works, property owners that don't clear their sidewalks are fined.

Mr. Matteis said that before giving a positive 8-24 referral, he would want to know what the cost would be for taxpayers to maintain, and repair the sidewalks. Ms. Massa said this is on State property, so she believed the State would be responsible for maintaining and replacing sidewalks. The property owners would be responsible only for clearing the snow. Mr. Matteis said no one would maintain the sidewalks that cross over the highway.

Mr. D'Amato reminded the Commission that the only thing they are reviewing this evening is whether or not the extension of sidewalks is consistent or in conflict with the Plan of Conservation and Development (POCD). He said they need to get the nuts and bolts of this in place in order to submit an application. He said the idea is to have this in place ahead of future development. Ms. Massa said she could contact the DOT to find out what their maintenance policy is. She said she is aiming to have an application together by September with a conceptual design. If they don't get funding through LOTCIP, then they will not go forward with the plan. Mr. Matteis said he felt there was not enough information to make a decision.

Mr. Matteis asked if there would be a public hearing on this. Ms. Massa said the town would have a formal public meeting process if they get the grant and after the design is fleshed out. At this meeting, the public could provide comments. The plan would also go to the DOT and to CRCOG for their input, and everyone's concerns would be taken into consideration.

Ms. Hickey said that at the CRCOG meetings, walkability and affordable housing are big issues. She said she felt that conceptually it seems to be a good plan and she said she hoped the sidewalks would connect even further down in the future. It was noted that typically, the DOT is responsible for clearing sidewalks on the bridge. Mr. Matteis said he had concerns with telling property owners along Merrow Road that they have to clear snow from the sidewalks in front of their properties when the town has always done it on other sidewalks throughout town in the past.

Mr. Powell said he likes the plan conceptually, although he also had some concerns about maintaining the sidewalks.

Ms. Hickey said many towns have added bike paths in the street and asked if they would be doing it here. Ms. Massa said they looked into it, but they found they don't have the room for an added bike lane. Mr. Matteis said they should check to see if bikes can be ridden on sidewalks in Tolland. He said he believed there are rules about that in town.

Ms. Massa read from the town ordinance regarding snow removal on State properties. She said the property owners are responsible to clear snow within 24 hours of a storm and there is a \$35 fee per offense if it is not cleared.

Mr. Matteis said it would be hard to tell one property owner he has to clear a walkway when someone else in town has his cleared by the town.

Mr. Powell asked how Commissioners felt about the design. Ms. Stavens said she liked it but would want to see another crosswalk just before the Mobil gas station added to the plan.

Mr. Powell asked if they want to hold the item open until they found out more about snow removal and maintenance. Mr. Matteis said he was okay with sidewalks on both sides since the State would be paying for the construction, but that there needs to be a plan on maintenance.

Mr. D'Amato said they have more than just two options – yes or no. He said they could do a referral but with added comments. Ms. Stavens noted they did something like that with the plan for the Green. The Commission compiled a list of comments they would want included.

MOTION: Erin Stavens/Amanda Hickey to provide a positive 8-24 referral for sidewalks along Route 195 between Interstate 84 and the Tolland Green with the following comments:

- Clarification is needed on who would be responsible for snow removal
- A maintenance plan should be provided for the ongoing upkeep of the sidewalks
- A potential for single side walkways should be maintained if design costs are found to be too high or due to public feedback
- Consideration should be made for an additional crosswalk at the Mobil gas station at 56 Merrow Road.

A vote was taken on the motion. Mr. Mead, Ms. Stavens, Ms. Hickey and Mr. Powell voted in favor. Mr. Matteis abstained. Motion carried.

Mr. Matteis noted that the Historical District may have some concerns about the sidewalks as well, as there would be sidewalks in front of four or five houses there.

8.2 8-24 Referral for Solar Panels at Parker Place (100 Old Post Road). Mr. D'Amato referred to Mr. Corcoran's June 4, 2025 memo in Commissioners' packets. Access Housing is proposing to install solar panels on the roof of Parker Place, a town-owned property, in conjunction with the Connecticut Green Bank. The intent is to generate revenue for the project and provide some electrical savings to residents of the property. Access Housing will be responsible for the lease of the panels. CT Green Bank would be responsible for repairing any roof damage that arises from the solar panel installation.

Beverly Bellody, Tolland's Director of Human Services, said she has been working with Access Housing for about a year and this plan will go to the Town Council on June 27th for their approval. If they do this project, the tenants at Parker Place would get a reduction on their electric bills.

Kate Shelton of CT Green Bank said this will be structured as a lease and they will fully fund the project. Under the Residential Renewable Energy Solutions (RRES) program, twenty percent of the financial benefit will be applied to tenants' utility bills.

Mr. Powell asked if this then would make the property more affordable for tenants. Ms. Shelton said it would. They estimate a savings of about \$500 per unit for year one. Mr. Powell asked who maintains the roof. It was noted the roof was replaced in June of 2019 and there is a 20-year warranty. Ms. Shelton said their installation will not void the warranty. She said there is a pre-inspection of the roof and then they return for a post-installation re-inspection to make sure the installation was done right.

Mr. Matteis asked if this will help Parker Place keep up to date with their tax payments. He noted that they have not always done so in the past. Ms. Bellody said it would. She said they are keeping up now as they are now fully rented out.

Mr. Matteis asked how this would benefit the town to do a 20-year lease. He asked how the town is protected.

Mr. Powell said it makes affordable housing more affordable, so it is a value for the town's residents who live there.

Ms. Bellody said the Access Agency is a non-profit and she has worked with them on other projects. She said they are not a development agency and this will help the individuals that live there so they can afford other things they need.

Mr. Powell asked for members' feelings on the proposal. There was a general feeling to provide a positive referral but with comments.

Mr. Matteis asked what would happen if the Green Bank went out of business. Ms. Shelton said Green Bank is a long-term asset owner. She said they are partnering with the State, and Tolland would be protected under the lease agreement. They have a fixed contract with the utility company for twenty years. She said they are responsible to remove the system at the end of the lease. They won't replace the roof, but they will patch the holes.

MOTION: Erin Stavens/Amanda Hickey to provide a positive 8-24 referral for solar panels at Parker Place at 100 Old Post Road with the following comment.

- Clarification is needed on who is responsible for the maintenance, replacement, or removal of the system during the term if the asset owner changes.

A vote was taken on the motion. Mr. Mead, Ms. Stavens, Ms. Hickey and Mr. Powell voted in favor. Mr. Matteis abstained. Motion carried.

9. **Reports**

9.1 Town Council Liaison – Marilee Beebe, Town Council Liaison, said they have a lighter agenda tomorrow evening since the budget has been passed. There are a few appointments to vacancies. She said the Town Council will be sure to address their concerns expressed during the discussions on the sidewalks and solar panels.

9.2 Economic Development Liaison – no report

9.3 Capitol Region Council of Governments – Ms. Hickey said their last meeting was held on June 5 and there was a presentation on parking regulations, and how the new HB5002 legislation will impact businesses and multi-family development. She reviewed some potential changes that could impact Tolland. It could potentially allow two to nine units of housing to be permitted on any lot zoned commercial. This would go into effect in July, 2026. Parking reform would also go into effect in July of 2026. She said there is a lot of information in this bill and Commissioners could get it from the CRCOG website or she could send it to them. She said their next meeting on Zoom is in September. Mr. D'Amato said a discussion of this bill is on their next agenda.

9.4 Zoning Enforcement Report – Mr. D’Amato said they received a complaint from a resident and the Planning Office would like some feedback and guidance from the Commission. The complaint is about a neighbor who has excessive holiday lighting on their home, and the complainant said they have talked to the neighbor several times about taking or toning it down, but with no luck. Their lighting regulations don’t really address holiday lights, and while they understand the concerns, there does not appear to be any real way to draw a reasonable line about this kind of issue.

The Commission spent several minutes discussing the intensity of lights and the difficulty for the town to get involved in such disputes. In the end there was general agreement that there is no law against excessive lighting of this type and it is out of their purview to police it. They said they could recommend to the complainant to ask their neighbor to perhaps put them on a timer, but, ultimately, it is between them.

9.5 Planning Update – Mr. D’Amato reported that someone bought the bank at 159 Merrow Road and will be coming before them to turn it into a professional office. He will be more than doubling the building size. He first has to go before the Inland Wetlands Commission.

Mr. Powell asked about the status of the Old Stafford Road lawsuit. Mr. D’Amato said he saw a motion to dismiss was filed and the town’s response was posted today.

Ms. Stavens noted the Lion’s Den, which was the former Electric Blue, had a “Coming Soon” sign up and other signage, but now they have all been taken down.

Mr. Powell asked if there was any word on Starbucks. Mr. D’Amato said they got their permits. He also said the Santini project is moving along, as is the medical office at 1504 Tolland Stage Road. Mr. Mead asked about the status of the Car Wash. Mr. D’Amato said he has not heard anything.

Mr. Powell reviewed the planning update page in their packets, nothing there will be a discussion of HB5002. Ms. Stavens asked if they should invite their state representatives to the meeting. Mr. Powell said they are still waiting for the Governor to sign it. He said he felt this legislation will be tough on Tolland and other towns like it. The Commission discussed the bill’s allowance for housing to be built in commercial zones and the reasons why they keep that kind of development separate.

10. **Other Business**: None.

11. **Correspondence**: None

12. **Public Participation**: None.

13. **Approval of Minutes** – May 12, 2025 Regular Meeting

MOTION: Erin Stavens/Brian Mead to approve the May 12, 2025 Regular Meeting minutes as written. Ms. Stavens, Mr. Mead, Ms. Hickey, Mr. Matteis and Mr. Powell voted in favor. Motion carried.

14. Adjournment

MOTION: Brian Mead/Amanda Hickey to adjourn the meeting and pay the clerk at 9:00p.m. Mr. Mead, Ms. Hickey, Ms. Stavens, Mr. Matteis and Mr. Powell voted in favor. Motion carried.

Respectfully submitted,

Annie Gentile
Clerk