

The Planning and Zoning Commission of the Town of Avon held a *GoToMeeting* on Tuesday, May 17, 2022. Present were Peter Mahoney, Chair, Dean Hamilton, Mary Harrop, Chet Bukowski, Robin Baran, and Alternates Julie Rousey (sat), Elaine Primeau (sat), Thomas Armstrong (did not sit). Absent were Lisa Levin, Vice Chair, and Joseph Gentile. Also present was Hiram Peck, Director of Planning and Community Development.

Mr. Mahoney called the meeting to order at 7pm.

PLANNING AND ZONING COMMISSION MEETING

NEW APPLICATION

App. #4971 - Orafol Americas Inc, owner/applicant, request for Site Plan Approval to construct 32K SF building addition, 120 and 140 Darling Drive, Parcels 2030120 and 2030140, in an IP Zone

Present were Michael Cegan, Richter & Cegan; David Ziaks, PE, FA Hesketh; Michael Arsenault, Orafol Americas; and Bob Day, Robert Day Architects.

Michael Cegan displayed a PowerPoint presentation noting that the subject site contains 21.6 acres located in the Industrial Park Zone (Avon Park South) and Orafol has been here for more than 30 years. The proposed addition will allow Orafol to remain at this location. The main entrance is off Darling Drive; there is also a service driveway from Darling Drive for truck access. The area in front of the building along Darling Drive is heavily landscaped and well maintained. The rear of the site extending around to the northwest corner of Darling Drive is entirely wooded and contains a wetlands system (approval received from IWC). The construction proposed for the addition and site improvements are in areas that have already been disturbed by the existing site construction. The large parking lot located in the western portion of the site is where the main addition and most of the improvements are proposed. A west addition of 30,000 SF is proposed to the existing facility. A 1,650 SF addition is proposed at the back (south) side of the building as well as a 1,200 SF covered storage shed, to be located adjacent to the existing loading dock. He explained that except for the proposed storage shed the expanded building footprints are located within the existing parking lots areas. Landscaping and circulation around the proposed additions will be redesigned completely within the previously disturbed area. This redesign includes a new main entry drop off, walkway, parking, and landscaping in front of the building and also the service and delivery area and circulation driveway located behind the building. The proposed site plan as well as all proposed landscaping meets all the requirements for the IP Zone, per the Zoning Regulations. A strong landscape buffer is proposed for the building addition, especially as seen from Darling Drive. Grading will be minimal as most work is being done in the existing flat parking lot. Mr. Cegan concluded by noting that the existing facility was way over parked based on previous parking regulations but explained that due to recent parking regulation changes this proposed addition is possible utilizing the existing unneeded 130- space parking lot located to the west of the building. There will still be more than enough parking spaces to accommodate the needs for the expanded facility.

David Ziaks explained that currently there are three (3) drainage outlets that serve the site that will be maintained; drainage report was submitted with the application. Some LID (low impact design) features are proposed to be added in. An infiltrator system is proposed to collect water

from the roof of the proposed expansion allowing the water to seep into the ground. There is an existing landscaped rain garden that serves as a detention basin that takes water from the roof of the existing building. There will be no impacts to the wetland/watercourse features located to the south of the building; there will be no impact to the Nod Brook watershed. A new fire service coming into the building is proposed but everything else will be connecting to existing services on the site. Mr. Ziaks concluded by noting that an erosion and sedimentation plan has also been provided.

In response to Mr. Mahoney, Mr. Cegan explained that while a few people are being added to the facility staff about 25-30 more parking spaces than are required are being provided.

In response to Mr. Mahoney, Mr. Arsenault explained that there are two full shifts for conversion and three shifts for film; this operation is five days a week. Deliveries take place during the week between 8am and 5pm; there are not usually any weekend deliveries because no one is in the building.

Bob Day, architect, explained that his firm has been involved with Orafol since 1998. Metal paneling is located above the exposed brick base. These materials will match everything that is on the existing building to create a seamless expansion to the facility. There are two small bump outs on the south façade that will act as service access for the building; a suspended awning will cover the truck loading area to keep everything dry. There will be a connector that ties into the main building to provide for circulation and access. Mr. Day indicated that once the addition is built and complete it should appear as one uniform facility. A small storage and maintenance service area is proposed to be added on directly behind the more intensive manufacturing areas in the plant to store tools and service equipment for their machines. Mr. Day concluded by noting that the storage area will also be used to store pallets to keep them clean and dry and tidy up the backside of the building.

In response to Mrs. Harrop, Mr. Cegan explained that the purple beech tree is proposed for the middle of the center island. Mrs. Harrop noted that the site is very neat and attractive and a good fit for the area.

In response to Mr. Bukowski, Mr. Cegan confirmed that the applicant has no issues with any of the comments/recommendations contained in Mr. Peck's Staff Comments and the applicant would not have any problem with implementation. He added that he worked closely with Town Staff during the application process.

Julie Rousey indicated that the plan is very thorough adding that being an architect she likes and supports a plan that reduces parking.

Messrs. Mahoney and Bukowski noted their agreement and support for an addition that fits right into an existing unneeded parking area.

Anthony Weber, Arch Road, noted that he lives close to the Orafol facility and asked if any consideration has been given for the residents to the south relative to the consistent noise coming from the existing manufacturing facility; the noise is only a problem in the summer when windows are open and people are outside and the noise will likely increase.

Mr. Peck explained that Mr. Weber is welcome to submit his audio file (noise recording) to the Town for the record. He said that this is the first time he is hearing about any questions relative to noise coming from the facility.

Mr. Mahoney asked Mr. Weber if he measured the noise/sound with a decibel reader.

Mr. Weber said that he has not used a decibel reader but noted that anyone can hear the noise standing outside his house. He noted his support for the project and just wants some information as to whether sound mitigation strategies have been considered. He noted that he speaks on behalf of his neighbors, all located to the south of the subject site.

In response to Mr. Mahoney, Mr. Peck explained that there is language in the Zoning Regulations relative to noise and decibel levels. He noted that he is not aware of any violations at this time but clarified that that doesn't mean that you can't hear the noise. The subject site is located in the Industrial Zone and we could monitor it to ensure that it complies with the standards in the Regulations.

Mr. Mahoney agreed that the site could be monitored over time for noise levels and address it if a problem arises.

Michael Arsenault acknowledged his understanding and appreciation of Mr. Weber's comments and concerns and explained that the new equipment being brought in is very minimal and what we are really looking for is more onsite storage for our finished goods to address supply chain issues. He confirmed that any noise or environmental issues would be addressed immediately.

Ms. Rousey noted that the additional building mass may help absorb some of the noise/sounds because the addition is more for storage than for manufacturing.

Ms. Baran noted that it was also her impression that the increased size of the facility is more for storage.

There were no further comments.

Ms. Baran motioned to waive Administrative Procedure #6 and consider the application. Mr. Bukowski seconded the motion that received unanimous approval.

App. #4971 - Orafol Americas Inc, owner/applicant, request for Site Plan Approval to construct 32K SF building addition, 120 and 140 Darling Drive, Parcels 2030120 and 2030140, in an IP Zone

Mr. Bukowski motioned to approve App. #4971 subject to the following conditions:

1. Compliance with all requirements of the Inland Wetlands Commission shall be demonstrated.
2. Compliance with all requirements of the Town Engineering Department relative to storm water and sewer service lines shall be demonstrated.
3. All landscaping shall be installed as represented on the plans, as submitted. Any proposed changes shall be reviewed and approved by the Director of Planning prior to implementation.
4. Erosion and sedimentation controls (as shown on Sheet C-3) shall be employed at all times during site construction when earth on the site is not stabilized.
5. Construction shall begin within one (1) year from the date of this approval (May 17, 2022) and completed within five (5) years. Any request for an extension shall be presented to Town Planning Staff in advance of May 17, 2023 for possible action by the Commission.
6. The Commission noted that Town Staff should periodically confirm that site operations are in compliance with applicable noise regulations.

The motion was seconded by Mrs. Primeau and received approval from Messrs. Bukowski, Mahoney, and Hamilton, and Mesdames Primeau, Harrop, Baran, and Rousey.

OTHER BUSINESS

Review and adopt revisions to PZC Procedural Rules

In response to Mr. Mahoney, Mr. Peck confirmed that traditionally the sitting of Alternates has been done by full rotation rather than by party.

Mr. Mahoney noted his understanding but indicated that he would prefer that Alternate selection be attempted within the same party. If it doesn't work out so be it but at least it could be attempted.

Ms. Baran and Mr. Bukowski noted their agreement with Mr. Mahoney.

Mrs. Harrop noted that she does not agree with Mr. Mahoney and added that we should continue as we have in the past.

Mr. Mahoney said that in order to be fair we should have a two-person majority.

Mr. Hamilton noted that at the last meeting Mr. Armstrong sat for Mr. Mahoney and voted as he felt Mr. Mahoney would have voted.

Mrs. Primeau said that if the Alternates are rotated it balances out adding that we are supposed to be voting on the issue and not by the party.

Mr. Mahoney acknowledged his understanding and agreement with Mrs. Primeau's comments but noted that at the last meeting it wasn't the case. He noted that he just wanted to have a discussion on this but added his belief and agreement that everything the Commission does should be nonpartisan but we know that there will be some issues that won't fall that way. He concluded that at this time he is withdrawing the idea and is fine with the PZC Rules as drafted.

In response to Mr. Mahoney, Mr. Peck confirmed that the Commission can vote to adopt the Rules, as drafted, noting that changes can be made at any time.

Mr. Bukowski motioned to approve the PZC Procedural Rules, as submitted. The motion was seconded by Mrs. Primeau and received approval from Messrs. Bukowski, Mahoney, Hamilton, and Mesdames Primeau, Harrop, Baran, and Rousey.

STAFF UPDATES

Stratford Crossing – status update from developer

Mr. Peck reported that there is no new information to provide. He said that he continues to work with the developer via internal discussions and staff meetings as well as meetings with the town Manager and attorneys involved. The Staff is spending a lot of time trying to get things resolved for the residents living in that area as well as working towards getting the roads accepted by the Town. We are also hoping that the responsibilities of the Homeowners Association for this development are settled soon, as there is open space and trails that need to be maintained.

In response to Mr. Bukowski, Mr. Peck explained that we still have the bond in place and it is not in danger of default; the bond will remain in place until the work is done. He noted that in the future should the Town get a development where bonds are required that he will likely recommend that the bonds be cash and that specific stages of approval (C/Os) cannot be issued by Town Staff until certain work is completed.

AVC Update

Mr. Peck indicated that he has questions for the developer relative to the latest report he received; he needs some clarifications. He said that the Commission has been very clear in that they don't want to see all the tenants as medical office uses. The detached tower sign approved for Climax Road and Route 44 is being designed by the architect at this time. We are still working on getting the roads accepted as soon as possible (some roads to the Town, some roads to the developer but the split is close to equal). He explained that he is pushing the developer hard to begin the residential portion of the development as well as continue to develop the other side of Market Street.

Affordable Housing Plan

In response to Mr. Mahoney, Mr. Peck indicated that he will be sending the final Plan to the Town Council sometime this week for consideration at their next meeting.

Mr. Bukowski said that he thinks it may be a good idea to create an ordinance/regulation to address Airbnb rentals in Avon.

Mr. Peck noted his agreement adding that Airbnb rentals will likely be addressed as part of the upcoming overhaul to the Zoning Regulations.

There being no further business, the meeting adjourned at 8:10pm.

Linda Sadlon

Avon Planning and Community Development