The Planning and Zoning Commission of the Town of Avon held a ***GoToMeeting*** on Tuesday, December 8, 2020. Present were Thomas Armstrong, Chair, Brian Ladouceur, Jr., Vice Chair, Dean Hamilton, Mary Harrop, Joseph Gentile, and Alternates Elaine Primeau (sat) and Raz Alexe (did not sit). Absent were Peter Mahoney, Lisa Levin, and Alternate Drew Bloom. Also present was Hiram Peck, Director of Planning and Community Development.

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

**APPROVAL OF MINUTES**

Mrs. Primeau motioned to approve the minutes of the November 17, 2020, meeting. The motion was seconded by Mr. Hamilton and received unanimous approval.

**PUBLIC HEARING**

App. #4933 Avon Park South Office Center Assoc., LLC, owner, Bruce Shein and Jerry Cohen, applicants, request for Special Exception under Section VII.C.4.b.(2) of Avon Zoning Regulations to permit low-profile detached sign, 15 Darling Drive, Parcel 2030015, in an IP Zone

Bruce Shein and Jerry Cohen were present.

In response to Mr. Armstrong, Mr. Shein confirmed that the proposal to have the numbers “1-15” at the top of the sign as a compromise is not acceptable to him because it would be too confusing to have two addresses at the top of the sign. He also noted that if the sign size is limited to a maximum of 24 square feet and he still wants “One Darling Drive” to be part of the sign

two of the tenant names would have to be eliminated at the bottom of the sign. He noted he needs all the sign space for tenants he can get. If the sign panels could be 5½ inches rather than 8 inches all the tenants could probably fit but then the lettering would be too small (3½ inches) to read from the road, defeating the purpose of a sign. He noted that there are total of 14 tenants in the building but the sign proposes only 11 tenant panels. He confirmed that he plans to go to the Zoning Board of Appeals if no resolution can be worked out with this Commission. He concluded by confirming that he would like to be able to have “One Darling Drive” on the sign but not have it count towards the allowable 24 square feet.

Jerry Cohen, building owner and resident of Simsbury, indicated that for 33 years directions given to people is to look for the first building on the right, before the fire station. He added that everybody has kind of equated the subject site to One Darling Drive.

There were no further public comments.

In response to Mr. Ladouceur, Mr. Peck explained that the information in the Commission’s agenda package (copies of building permits, yellow pages info, parcel number assignments) was from the Town Assessor to clarify how the numbering system works on Darling Drive. He referenced the aforementioned discussion regarding a compromise for the top of the sign to read “1-15” noting that this is acceptable to the Assessor. He clarified that only“1” on top of the sign is not acceptable to the Assessor. If the Commission approves the sign recommended by Staff (“1-15”) the applicant still has the ability to go to the Zoning Board of Appeals.

Mr. Ladouceur commented that if the applicant decides to apply to ZBA they would be asking for two things – 1) have the top of the sign say “1” instead of “1-15” and 2) to expand the size of the sign such that “One Darling Drive” is not counted towards the total allowable sign square footage (24 SF) taking up sign area space for two tenant spaces. Mr. Peck indicated that that is his understanding.

Mr. Shein noted that his hope is to not have “1-15” at the top of the sign and also, as stated in the Regulations, to not have the number count as part of the 24 square feet .He noted that if we could have the “One (1) Darling Drive” be the number, everything from Edward Jones down could be the 24 square feet.

In response to Mr. Ladouceur, Mr. Peck agreed that a second directory style sign (placed interior to the site) could be applied for in the future by the applicant but explained that the problem with the subject application is that the applicant requests a number (address) that is not assigned to the parcel by the Assessor and the sign is also oversized (larger than 24 SF). Mr. Peck clarified that while the existing detached sign could remain in place any future sign that was approved for the interior of the site would have to fully comply with the current Zoning Regulations.

Mr. Shein asked if he kept the existing detached sign (6 SF – says One Darling Drive) could he also get a 24-square foot directory sign with just the tenant names for the interior of his site.

Mr. Peck explained that he would have to review the requirements of the Regulations (size, etc.) regarding the total allowable square footage for all signs on a parcel (i.e., having a second detached sign interior to a site) before he could provide an answer.

Mr. Shein thanked everyone for their time and input concluding that he will have to ask for a variance from the ZBA.

There being no further comments, the public hearing for App. #4933 was closed.

App. #4934 - Avon Town Center, LLC, owner, Carpionato Group, LLC, applicant, request for Special Exception under Section VI.I.5.of Avon Zoning Regulations for modification to Special Exception for Phase One (approved July 31, 2018) for Avon Village Center, 55 Bickford Drive, Parcel 1300055, in an AVC Zone

The public hearing was continued from November 17.

App. #4935 - Avon Town Center, LLC, owner, Carpionato Group, LLC, applicant, request for Site Plan Modification to eliminate Building R3 and add additional parking as part of Phase One, Avon Village Center, 55 Bickford Drive, Parcel 1300055, in an AVC Zone

Present were Attorney Robert M. Meyers, on behalf of Carpionato Group; Michael Cegan, ASLA, Richter & Cegan; David Taglianetti and Kelly Coates, Carpionato Group.

Mr. Meyers explained that he represents Carpionato Group but does not represent Whole Foods or any other party. He indicated that the plans originally submitted with Apps. #4934 and #4935 have been modified and as such the developer is no longer requesting to eliminate Building R3. He referenced the latest plan information from Richter & Cegan (Phase 1A: Site Plan Modification, December 8, 2020) confirming that Option 3 (Sheet L-100) is what the developer is now asking for approval of. Option 3 shows Building R3 slightly reduced in size but not eliminated. Option 3 also shows a modest increase in parking to meet the demands of the tenant and the tenant unambiguously approves the parking plan shown in Option 3. If the Commission approves Option 3 it will be solely up to and between the developer and the tenant to get the project moving forward again. He confirmed that he has the developer’s agreement to engage in this process but reiterated that he does not represent Whole Foods.

Mr. Meyers addressed the signs (project entrance and roundabout) discussed at the November 17 meeting confirming that revisions have been made and Staff recommends approval.

Mr. Armstrong asked if we can expect that Whole Foods will start its build out immediately such that the store can open by June 2021.

Mr. Meyers reiterated that he does not have authority to speak for Whole Foods but explained that while there are ongoing discussions right now he doesn’t know how quickly the issues will be resolved. Whole Foods tells Carpionato Group that they very much want to come to Avon and Carpionato would like to start receiving rent from Building R4. He referenced Mr. Peck’s comments/conditions stating that he doesn’t see any items that would be objectionable.

Mr. Armstrong commented that he doesn’t see anything being done in the area for Building R3 for some time. He noted that the next phase needs to be residential and the other side of Market Street needs to be built out.

Mr. Meyers agreed with Mr. Armstrong. He added that there was a time when there was a disagreement between the developer and the tenant about the parking issue. The contracts provide that the developer is to deliver to Whole Foods a shell, a completed exterior building and Whole Foods is responsible to build out the interior; they intended to use the same general contractor that is doing the site work for the developer. There came a time when Whole Foods directed that work inside the building be stopped until parking issues were resolved. He indicated that if the subject applications are approved tonight it’s clear to him (from Whole Foods’ email) that they do approve the parking plan adding his optimism that work will resume inside the building but again noting that he does not represent and cannot speak for Whole Foods.

There were no comments from the public.

In response to Mrs. Harrop, Mr. Meyers explained that if the Commission approves Option #3, Building R3 will remain on the plans at a slightly reduced size. The developer cannot commit to a date at this time as to when Building R3 would be built.

In response to Mr. Ladouceur, Mr. Meyers confirmed that there will not be parking located in the footprint of Building R3 adding that his understanding is that grass and landscaping will be installed within the footprint.

Mr. Peck confirmed that Mr. Meyers is correct adding that the requested additional parking was able to be fit on the site by slightly reducing the size of R3 and realigning a few parking spaces (Sheet L-100, Option #3). The additional landscaping (Sheet LP-406) proposed will keep the area green until Building R3 is constructed.

In response to Mr. Ladouceur, Mr. Cegan explained that the trees proposed for this area (footprint of R3) would be three large-scale shade trees (20-25 feet at planting reaching 60-70 feet at maturity) along with some lower plantings and grass to continue the existing canopy that exists in the parking lot. He stated that much of the plantings on the Whole Foods site is completed. The shade trees planted in the footprint of R3 would be relocated when the building is constructed.

There being no further comments the public hearing for App. #4934 was closed, as well as the entire public hearing portion of the meeting.

**PLANNING AND ZONING COMMISSION MEETING**

Avon Village Center- Signage Permit Information

Mrs. Harrop said that she approves of the revisions.

Mr. Gentile said that the words (Avon Village Center) are hard to read and may get lost in the stone wall.

Mr. Peck explained that a lot of time was spent with the designer for the signs. He indicated that the stone wall is two tiers noting that the design is such to keep the letters below the top of the stone so they don’t stick up from nowhere. He further explained that the letters will be illuminated and the sign reflected against the back of the brownstone wall and that is why the letters are all the same size.

Mr. Cegan explained that the letters do not come across in the illustrations the way they will on the site; the letters are quite large and thick and should read well from the road. Black was the unanimous color of choice. He noted that he has worked with the sign consultant on many other projects and the sign consultant feels this will read very well.

In response to Mr. Ladouceur, Mr. Cegan explained that the illumination will be up lights from in front. He further explained that there is also back lighting installed between the two stone walls to also provide light behind the letters.

Mrs. Harrop motioned to approve the signage for Avon Village Center. The motion was seconded by Mr. Hamilton receiving unanimous approval.

Mr. Ladouceur motioned to waive Administrative Procedure #6 and consider the public hearing items. Mrs. Primeau seconded the motion that received unanimous approval.

App. #4933 Avon Park South Office Center Assoc., LLC, owner, Bruce Shein and Jerry Cohen, applicants, request for Special Exception under Section VII.C.4.b.(2) of Avon Zoning Regulations to permit low-profile detached sign, 15 Darling Drive, Parcel 2030015, in an IP Zone

Mrs. Primeau motioned to approve App. #4933; the motion was seconded by Mrs. Harrop.

Mr. Gentile said that the sign to be approved is a proposal by Hiram and not the original application which asked for the number “One” at the top of the sign.

Mr. Armstrong agreed and said that the Commission can only approve a sign that is within their jurisdiction. The Regulations do not allow for “One” to be on the top of the sign so a compromise was reached at having “1-15” at the top with “One Darling Drive” being shown in the body of the sign. The applicant will be seeking a variance.

Mr. Ladouceur referenced his comments from the November 17 meeting noting the uniqueness and history of the subject property adding his wish that those comments be made part of tonight’s record. An approval by this Commission gives the applicant something to take to the Zoning Board of Appeals, if they wish, to have the sign say “One Darling Drive” as opposed to saying “15 Darling Drive” and also to possibly increase the overall size of the sign.

Mrs. Primeau’s motion to approve App #4933 was seconded by Mrs. Harrop and received unanimous approval subject to the following conditions:

1. The sign shall contain the numerical address identification of “1-15” at the top of the sign, in accordance with current Zoning Regulations. In addition, the numbers “1-15” shall be housed in in an area no larger than 12 inches in height and 24 inches in length and the numbers shall be a minimum of 9 inches in height, in accordance with current Zoning Regulations.
2. The sign may contain slots for various businesses as well as the wording “One Darling Drive”.
3. The maximum sign area permitted is 24 square feet, per the Zoning Regulations. NOTE: The numerical address at the top of the sign (see #1) is exempt from the

24-square-foot sign area.

1. The sign shall be located on private property (as represented by the applicant) and not located in the Town ROW.

Mr. Armstrong noted that App #4933, as amended, meets the requirements contained in Section VIII.

App. #4934 - Avon Town Center, LLC, owner, Carpionato Group, LLC, applicant, request for Special Exception under Section VI.I.5.of Avon Zoning Regulations for modification to Special Exception for Phase One (approved July 31, 2018) for Avon Village Center, 55 Bickford Drive, Parcel 1300055, in an AVC Zone

App. #4935 - Avon Town Center, LLC, owner, Carpionato Group, LLC, applicant, request for Site Plan Modification to eliminate Building R3 and add additional parking as part of Phase One, Avon Village Center, 55 Bickford Drive, Parcel 1300055, in an AVC Zone

Mr. Ladouceur motioned to approve Apps. #4934 and #4935 subject to the following conditions:

1. The maximum parking approved for Whole Foods is 307 spaces, as represented on Option 3, Sheet L-100, Phase 1A: Site Plan Modification, December 8, 2020.
2. A reduction in the size of Building R3 is approved. Until Building R3 is constructed the footprint area shall be planted with grass and at least three (3) additional shade trees and additional plantings shall also be added, all as represented on Sheet LP-406, Corner Landscape Plan.

The motion was seconded by Mrs. Primeau and received unanimous approval.

**INFORMAL DISCUSSION**

275-279 West Main – Atlas Construction LLC

Present were Attorney Marjorie Shansky, representing Atlas Construction; Mike Picard, Atlas Outdoor; and Michael Ott, PE and LS, Summer Hill Civil Engineers (Madison, CT).

Ms. Shansky explained that the site has a wetland area and a vernal pool adding that the goal is to respect the natural resources and to retain the footprints of both existing structures but perform makeovers (both inside and out) for both structures. An outdoor seating area would be explored in connection with the existing restaurant (279 West Main). The existing house (275 West Main) would be used as an office to support the outdoor landscape buildings that would be on display that Atlas sells to residential sites. Stormwater and lighting would conform to current regulations. She concluded by asking for input from the Commission that could be helpful to the developer.

In response to Mrs. Primeau, Mike Ott confirmed that there is no plan to make a connection to the property to the west, 315 West Main Street. He noted that he has stood in the parking area of 315 West Main and there is quite a grade/elevation change between the two sites.

In response to Mr. Ladouceur, Ms. Shansky explained that the existing house at 275 West Main will serve as the office for the display of outside structures and landscape features; these items would be located in front of the house.

In response to Mr. Ladouceur, Mr. Picard explained that his plan for the site is unlike Cape Cod Fence such that while he sells similar products he caters to developed outdoor environments. He noted that he sells sheds (and she sheds), garages, pergolas, arbors, and fire pits explaining that the display area is setup specifically to enhance landscaped and outdoor environments. Structures are outlined with walkways and lamp posts giving people ideas on how to create their own outdoor areas. The existing house is old and dated but has nice stonework and other features that he would like to update and maintain and use as an office and sales center. Mr. Picard explained that the plans are still in conceptual mode adding that the parking shown on the drawings submitted is what currently exists; he noted that the current paved areas would likely be adequate and maintained. Behind the house is proposed to be a pervious gravel area (for storage) that could be used for more parking if needed. He noted that due to the steep grade changes he doesn’t think the outdoor dining area could be extended behind the building. He confirmed that he wants to keep the site disturbance as minimal as possible and keep it to what is currently being used. Any expansion (e.g. parking) behind the existing building (restaurant) is very limited due to the steep grade.

In response to Mrs. Harrop, Mr. Picard explained and confirmed that he understands the need for proper placement of outdoor items to create an attractive setting. He referenced his current location in Old Saybrook on Route 1. He noted that he’s working with two landscape architects for the subject site such that people will be able to get a feel for the actual size/dimension of items (e.g., seeing a 10 x 12 shed in person versus seeing it online) that will be set in an environment with walkways and landscaping to provide a feel for the overall density.

Mr. Armstrong said that traffic and entrance and exit for the site will need to be looked at and possibly the State may need to be involved. He suggested that the restaurant not be fast food due to traffic. He noted that he would like the possibility of an easement to the west investigated to provide for more walkability between sites. He suggested talking to the Fire Department regarding access needed around the buildings.

Mr. Picard acknowledged his understanding that there have been several other applications for this site that were turned down due to traffic and wetland complications. He stated that his goal is to work with the existing conditions and make improvements; he noted his understanding of the challenges on the site. There seems to be enough parking already on the site but confirmed that he would do his due diligence. He thanked everyone for their input and feedback.

Mr. Peck indicated that the subject proposal to rehab the existing buildings is a big improvement over what exists today. This proposal would yield significantly less impact on the site as compared to past applications.

**OTHER BUSINESS**

Request for Extension – Avon High School lighting, new track – Apps. #4890-91

Mrs. Harrop motioned to approve an extension for Apps. #4890-91 to December 31, 2021. The motion was seconded by Mrs. Primeau and received unanimous approval.

Request for Extension – 221 West Main Street (Fred & Bonnie LLC) – Apps. #4394-95-96

Mr. Gentile motioned to approve a one-year extension for Apps. #4394-95-96; the motion was seconded by Mrs. Primeau and received unanimous approval.

Mr. Ladouceur commented that he approved this extension noting understanding of past issues with the site and that the owner is currently working on other possibilities but added that this is likely the last extension he would favor approval.

**STAFF UPDATES**

Avon Village Center Status and Covid (Executive Order Revised)

Mr. Peck reported that there are no updates at this time for AVC or Covid. The Governor’s Executive Orders relative to Covid have been extended to February 9, 2021.

The Commission unanimously agreed that the Temporary Outdoor Dining Regulations can be extended to February 9, 2021.

There being no further business the meeting adjourned at 8:45pm.

Linda Sadlon

Avon Planning and Community Development