

PZC Minutes JAN 28 2014

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The Planning and Zoning Commission of the Town of Avon held a meeting at the Avon Town Hall on Tuesday, January 28, 2014. Present were Linda Keith, Chair, Carol Griffin, Vice Chair, David Cappello, Peter Mahoney, and Christian Gackstatter and Alternates Elaine Primeau and Donald Bonner. Mrs. Primeau and Mr. Bonner sat for the meeting. Absent were Marianne Clark and Alternate Jenna Ryan. Also present was Steven Kushner, Director of Planning and Community Development.

Ms. Keith called the meeting to order at 7:30pm

PUBLIC HEARING

App. #4702 -Sunset of Avon, LLC, owner, Borghesi Building & Engineering, applicant, request for Special Exception under Section VII.C.4.a.of Avon Zoning Regulations to permit 2 wall signs, 260 West Main Street, Parcel 4540260, in a CR Zone

Also heard at this time, but not part of the public hearing.

App. #4701 -Sunset of Avon LLC, owner, Borghesi Building & Engineering, applicant, request for Site Plan Modification to add canopy to existing building, 260 West Main Street, Parcel 4540260, in a CR Zone

Mr. Bonner motioned to continue the public hearing for App. #4702 to the next meeting, scheduled for February 18. The motion, seconded by Mr. Gackstatter, received unanimous approval.

Mr. Bonner motioned to table App. #4701 to the next meeting. The motion, seconded by

Mr. Gackstatter

App. #4703 -DP3 LLC, owner, John Dillon, applicant, request for Special Exception under Section VI.C.3.b.of Avon Zoning Regulations to permit Class III restaurant, 300 West Main Street, Parcel 4540300, in a CR Zone

Present were John Dillon, owner, and Scott Morrison, owner of New England Pasta Company; and Richard Kenyon, architect, Kenyon and Cutler Architects.

Scott Morrison stated that he owns New England Pasta Company and will help to manage the proposed Stonepost Bakery. He addressed parking and noted that the bulk of traffic for Stonepost Bakery will be between 6:30am and 9:30am; he added that the pasta company doesn't open until 10am. He indicated that there are a total of 53 parking spaces available for the bakery, as well as the pasta company. He pointed out that the subject site is located in a community parking area, such that there is access to approximately 350 adjacent parking spaces.

Richard Kenyon offered history noting that in the 1960s a restaurant (A.C. Petersons) occupied the subject building. In 1988 a site plan was approved and an addition constructed to the rear of the building, which is where the bakery is proposed. He further explained that traffic enters the site via the island driveway cut on Route 44 but noted that exiting the site is more controlled by accessing the traffic light near Tri-Town Plaza (320 West Main). He noted that the curbed area at the driveway on Route 44 is curved such that it encourages cars to exit towards the west. He added that there is plenty of circulation throughout the site, a lot of foliage. He indicated that the dumpster location is proposed for the rear of the building, totally concealed. He addressed the exhaust fan (for the proposed bakery in the rear building) noting that the center of the fan is approximately 9 feet off the ground with a mushroom cap; the top would be 10½ to 11 feet at the highest (at the top of a two-story building). Mr. Kenyon noted that the exhaust fan is concealed from view and no one will know it's there. He pointed out that there are about 9 or 10 dumpsters in open view in this area.

In response to Mr. Gackstatter's questions, Mr. Morrison explained that grease containment complies with both State and Town laws. He noted that an automatic grease receptor takes grease out on a daily basis which, in turn, gets put into a 5-gallon covered orange bucket which is currently located outside

in the walkway between the 2 buildings. He indicated that he will probably have 2 buckets in the future. He added that twice a month the bucket is picked up by Flamig Farm, located in West Simsbury. Mr. Morrison confirmed that he has been in business for 19 years and has never had a problem with rats near grease containers. He added that the Town Engineering Department has approved the grease operation.

In response to Mr. Gackstatter's questions about traffic direction, Mr. Kenyon explained that if you enter the site via Route 44 to patron New England Pasta you can exit the same way but you can only head west. If you enter the site via Route 44 to patron the bakery you will exit the site via the traffic light next to Tri-Town Plaza.

Mr. Dillon explained that there are 2 lanes coming in and out of the site.

Mr. Bonner asked if it would be a good idea to place an exit sign that directs vehicles to go around and exit at the traffic light. Mr. Dillon confirmed that he has created maps to give to customers and added that he would love the driveway to be one way but doesn't have the authority.

In response to Mr. Gackstatter's concerns about confusion with traffic lanes, Mr. Morrison explained that he put a sign out within the past month at the island that says "keep right". Mr. Gackstatter noted his concern is also for the traffic at the back of the site, behind the toy store/carpet store and vehicles for the office building in the rear.

Mr. Dillon explained that he would love to add more signage but indicated that he doesn't know if he has authority to make decisions for the entire area. He added that he hasn't made any new parking spaces but noted that DeWolfe and everyone else has always had the area full of parking and people have used it for 40 years.

Mr. Morrison noted that he has maps that he hands out at the registers at New England Pasta Company.

Mr. Gackstatter noted his concerns for increased traffic congestion/confusion for the existing businesses with the added traffic from the proposed bakery and New England Pasta.

Mr. Kushner explained that there is a one-way designation on the approved 1988 Consolidation Map. He noted that the subject building has been vacant for the last several years and the only nearby business is the realty office so it makes it easier to have two-way traffic but explained that it's supposed to be one-way traffic. He further explained that the arrows shown on the Consolidation Map are located on the next property (not owned by the subject applicants), which is owned by the realty company. He indicated that the Commission could ask the applicants to contact the property owners to remind them that the plan was approved for one-way traffic.

Mr. Kushner pointed out that it is not always easy to ask for changes and/or enforce a plan that goes back to 1988 and indicated that while an effort can be made but there are no guarantees.

Mr. Kenyon offered to place a sign on the island owned by the applicants that says "one-way do not enter". Mr. Kushner confirmed that that is a good idea.

Mr. Kushner explained that the subject site is one of the pioneers in terms of consolidated parcel/parking agreements and added that, to this day, there are probably more properties consolidated together here than anywhere else on Route 44 in Town. He further explained that the principal advantage of a consolidated agreement is to promote complementary uses, which is exactly what is happening now. He added that both the New England Pasta Company restaurant and the proposed bakery back up directly to the largest building on the site with the largest parking lot (302 West Main), which is empty on the weekends when the restaurants will be the busiest.

Mr. Morrison stated that both Dunstan Jewelers and the Perfect Toy are two of the four members of the realty group that own 290 West Main and are in favor of the subject proposal. He added that the owner of 302 West Main (rear building) is also in favor of the subject proposal.

In response to Ms. Keith's question about lighting, Mr. Dillon confirmed that both 300 and 302 West Main have adequate parking lot lighting.

Mr. Morrison added that there are also two lights on the drive through area to get around Farmington Savings Bank. He noted that this drive through area is where the owner of 302 West Main (Fish) has

indicated that the restaurant employees can park.

Mr. Kushner expressed his opinion that he doesn't feel that placing restrictions on hours of trash collection is warranted and doesn't recommend it. He noted that it was represented earlier that there are 10 to 15 dumpsters in the immediate vicinity, which is a commercial retail zone. He noted that there are no immediate single-family abutters to this site and this area has been occupied by commercial uses for more than 50 years. The proposed dumpster is modest compared to what already exists.

In response to Mrs. Griffin's question, Mr. Morrison explained that there are 2 handicap parking spaces in front of the pasta company and there are 2 in front of the ramp entrance for the proposed bakery.

There being no further input, the public hearing for App. #4703 was closed.

App. #4705 - Martha Dean, owner/applicant, request for Special Exception under Section IV.A.4.s.of Avon Zoning Regulations to permit home occupation, 144 Reverknolls, Parcel 3690144 in an RU2A Zone

Martha Dean was present.

Ms. Dean explained that she is asking for permission to continue operating her law practice out of her home; she noted that she has one employee.

Mr. Kushner noted that no complaints have been received. He asked Ms. Dean if she is asking for approval without a time limitation. Ms. Dean confirmed that she would like a permanent approval.

In response to questions from the Commission, Ms. Dean noted that there is plenty of parking and explained that she doesn't foresee adding more employees at this point. She noted that she has a teenage son and working from home works well for her at this point.

Mr. Kushner explained, as an option, that the Commission could consider an approval releasing the requirement for reapplication in 2 years while at the same time limiting an approval to the conditions/representations made by the applicant.

There being no further input, the public hearing for App. #4705 was closed, as well as the entire public hearing.

PLANNING AND ZONING COMMISSION MEETING

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

App. #4703 -DP3 LLC, owner, John Dillon, applicant, request for Special Exception under Section VI.C.3.b.of Avon Zoning Regulations to permit Class III restaurant, 300 West Main Street, Parcel 4540300, in a CR Zone

Mr. Gackstatter motioned to approve App. #4703 subject to the following conditions:

1. A concrete pad shall be poured for the proposed dumpster location and the area fenced prior to the issuance of a Certificate of Occupancy. The location of the dumpster shall be as shown on the drawing "Consolidation Map" submitted to the Town on January 22, 2014.

- 2.A directional "one way" sign shall be installed on the northeast side of the building. Applicant shall contact the owner of 290 West Main to discuss additional signage and painting of one-way arrows in the driveway, consistent with the approved drawing, "Consolidation Map", prepared by AE Design Group, dated July 1988. The applicant shall be responsible to add these additional markings/signs to better accommodate projected restaurant traffic.

The motion, seconded by Mr. Mahoney, received unanimous approval.

App. #4705 - Martha Dean, owner/applicant, request for Special Exception under Section IV.A.4.s.of Avon Zoning Regulations to permit home occupation, 144 Reverknolls, Parcel 3690144 in an RU2A Zone

Mr. Mahoney motioned to approve App. #4705 subject to the following condition:

- 1.Approval is granted contingent upon representations made by the applicant. Should the current circumstances change the applicant shall return to the Commission for review. This approval is granted without time limitations.

Mrs. Griffin seconded the motion that received unanimous approval.

OUTSTANDING APPLICATIONS

App. #4683 -PDP Financial, LLC, and MOJO Enterprises, LLC, owners, Sunlight Construction, applicant, request for 39-lot Subdivision, "Stratfordshire", 45.5 acres, 44 Lenox Road, Parcel 3010044, in an R30 Zone

App. #4684 - PDP Financial, LLC, and MOJO Enterprises, LLC, owners, Sunlight Construction, applicant, request for Special Exception under Section IV.A.4.k. of Avon Zoning Regulations to permit single-family cluster development, 44 Lenox Road, Parcel 3010044, in an R30 Zone

Ms. Keith announced that the public hearing for Apps. #4683 and #4684 went on for 4 over months and requested that the Commission confirm that they are familiar with the record.

Mrs. Primeau stated, for the record, that she has read and is familiar with the all the information pertaining to Apps. #4683/84. She noted that she was absent from the last meeting, conducted on January 14.

Mr. Mahoney stated that he missed the last 2 meetings but confirmed that he has read and is familiar with all the information pertaining to Apps. #4683/84.

Mr. Cappello stated that he missed the last meeting but confirmed that he has read and is familiar with all the information pertaining to Apps. #4683/84.

Mr. Bonner stated that he has been present for all the meetings and has read and is familiar with all the information pertaining to Apps. #4683/84.

Mrs. Griffin stated that she has been present for all the meetings and has read and is familiar with all the information pertaining to Apps. #4683/84.

Mr. Gackstatter stated that he has been present for all the meetings and has read and is familiar with all the information pertaining to Apps. #4683/84.

Mr. Kushner explained that the Commission needs to decide if they want to approve the special permit request, given the merits of a cluster subdivision versus a conventional subdivision. He noted that he drafted some conditions should the Commission be considering an approval. He stated, for the record and based on advice from the Town Attorney, that Town Staff has not had conversations with the applicant regarding the proposed conditions of approval; the applicant was not involved in the drafting of the proposed conditions. He added that the applicant has not been given any opportunity to submit revised plans since the close of the public hearing on January 14. Mr. Kushner further stated, for the record, that the Town Attorney advises that the Commission needs to make a decision based on the established record and not on anything that could have changed since the last hearing.

Mr. Kushner reviewed the "draft" proposed conditions of approval, revised to January 28, 2014.

1. Most of the comments provided by the Engineering Department are technical and/or housekeeping in nature and are not indicative of the plans being incomplete. The latest plans were not received in time to be reviewed thoroughly by the Engineering Department but the plans are an evolution from one meeting to the next and the "bones" of the plans remain the same (the lot layout and the main road). The Engineering Department recommends compliance with all their comments including those pertaining to sediment and erosion control construction sequencing.

2. The Fire Marshal requests changes to current road names to avoid confusion with existing road names.

3. Fire hydrant locations are to be approved by the Fire Marshal.

4. The HOA (homeowners' association) should be responsible to maintain the LID drainage systems, as they would be located on private land. A maintenance schedule should also be prepared noting that the drainage, as designed, is not allowed to be modified in any way.

5. Several areas are to be subject to conservation restrictions. These areas include the LID areas, the small park area, the entire perimeter buffer, the land connecting the private cul-de-sacs, and land that consists of the rear of several large lots located to the east of Stratford Crossing that back up to the large 13-acre open space area to be conveyed to the Town. The restrictions should follow the terms contained in the Town's Appendix E such that the land should be preserved in its natural condition.

6. A separate map identifying all the open space areas, public and private, subject to conservation restrictions and public easements should be prepared. Signs should be constructed (4 x 4 wooden posts) by the Town's Public Works Department and installed/located at every public access point (3 in total) where an access point intersects with a public road. The sign locations should be depicted on the record plans.

7. Clearing limits should be marked in the field and reviewed by the Town prior to any clearing; tree preservation is encouraged wherever possible.

8. Individual landscape plans should be prepared for each cluster lot, as there will have to be substantial clearing to fit the houses in. Certain guidelines should be followed with a minimum commitment for planting on each lot. A licensed landscaped architect must prepare the plans.

9. All recreational trails should be constructed before any building permits are issued. Pressure-treated fencing, supplied by the Town, should be placed at all public access entrances. Standard Town signage should be placed along all trails and a signage plan should be prepared for review and approval by the Town.

10. Plans should label "Stratford Crossing" as a temporary cul-de-sac showing the potential to extend/connect into the undeveloped parcel located to the north at some point in the future.

11. A plan showing all proposed stop signs, stop bars, and street lighting should be prepared for review and approval by the Chief of Police/Traffic Authority.

12. All infrastructure to be constructed in association with private roads shall be subject to bonding requirements and similar rules to those for public roads.

13. The proposed decorative columns to be located adjacent to the proposed landscaped islands should be removed from the plans, based on safety concerns from both the Departments of Public Works and Engineering.

After a discussion by the Commission regarding the location of the proposed landscaped islands, Mr. Gackstatter indicated that he feels the islands should be moved in further. Ms. Keith communicated that she favors the proposed locations, in accordance with testimony from both traffic engineers/experts. Mrs. Primeau commented that she feels the islands should remain in the proposed locations. Mr. Mahoney noted his agreement with Mrs. Primeau. Mrs. Griffin indicated that the stone columns have been removed and added that she doesn't feel the proposed landscaped islands would be too intrusive. Mr. Cappello commented that the landscaped islands should be removed. Mr. Bonner indicated that he feels the proposed landscaped islands, in the proposed location, would be a great visual enhancement to the area, as well as serving as an additional buffer.

14. All landscaped areas as shown on the plans should be planted as soon as possible; a planting schedule should be submitted to Town Staff for review and approval prior to any work. The landscaping for each phase should be complete prior to the start of the next phase of construction. In order to provide notice to homebuyers, landscaping should be installed, if located adjacent to an adjoining house, prior to the issuance of a C/O.

15. All lot corners located along public or private open space should be pinned using 36" rebar and in accordance with detail provided by Richter & Cegan. Signs should be spaced at 50-foot intervals and mounted on wooden posts to identify the boundary between protected open space and privately owned lots.

16. The sediment and erosion control narrative and conservation sequence, as revised by the Town Engineer on January 14, 2014, should be complied with.

17. Road construction should begin at the intersection of the existing portion of Lenox Road and the new portion of Lenox Road. Priority should be given to completing Lenox Road and Stratford Crossing. Utilities and an all-weather surface should be complete for these roads before any building permits will be issued. A temporary emergency gate should be installed at Haynes Road and Stratford Crossing; the lock will be controlled by the Town. After the issuance of the 20th C/O, the gate should

be removed and the roadway connection open for public travel except for heavy trucks.

Mr. Bonner noted his concern for the condition of Lenox Road after the proposed development is completed and asked what could be done; he noted that the road currently has a lot of cracks. Mr. Kushner noted his understanding and explained that Lenox Road is a Town road and is the Town's responsibility to repair.

Mr. Kushner addressed the enforcement of construction trucks on Haynes Road and the possible calls the Town could receive from residents and explained that it is very possible that there could be homeowners on Haynes Road that have their own home construction projects going on at the same time as the subject development.

In response to Ms. Keith's request, Mr. Kushner noted that the Public Works Department is very aware of the subject development but added that he could alert them about the upcoming construction traffic on Lenox Road and ask that Lenox Road be put on the schedule for repair for the near future.

Mr. Kushner reviewed the Special Exception criteria contained in Section VIII of the Zoning Regulations (A. Suitable location for use; B. Suitable structures for use; C. Neighborhood compatibility; D. Adequate parking and access; E. Adequate streets for use; F. Adequate emergency access; G. Adequate public utilities; H. Environmental protection and conservation; I. Consistent with purposes.

Mr. Bonner noted his understanding of the language contained in I. Consistent with purposes, (That the proposed use will not have any detrimental effects upon the public health, safety, welfare, or property values, and that the proposed use will not conflict with the purposes of the regulations) but questioned how the Commission can know and/or make any guarantees that there would not be any reduction of adjacent property values. He noted that it's kind of an open question.

Ms. Keith commented that one of the pluses of the proposed development is the proposal for additional public open space and trails. She added that she doesn't see how the use of these additional open areas could be detrimental or disadvantageous to abutting property owners.

Mrs. Griffin commented that individuals have rights to develop their property and noted that although the proposed development is cluster with smaller lots, the houses proposed are equal or greater in value than most of the houses in either existing abutting developments.

Mr. Gackstatter pointed out that the issue relating to property values is specific to the request for a special exception for a cluster use, as it is not allowed by right. He noted that the applicant could have chosen to propose a conventional "as of right" development where the special exception criteria would not be a consideration. He added his opinion that a better value for the abutting existing houses will be realized with the proposed cluster smaller homes than would be the case if larger, three-car garage, conventional homes were proposed.

Mr. Kushner explained that part of the reason that the hearing for this proposal has been extended for four months is to get the plan into a condition such that the Commission could make a determination about whether the proposal meets the special exception criteria.

Mr. Gackstatter commented that he feels the Commission has spent significant time trying to balance traffic issues and tree preservation while considering a cluster development versus a conventional development. He noted that he feels the current plan is the best plan to develop the site for the betterment of the existing surrounding residents.

Mr. Bonner agreed that he feels the Commission has performed their due diligence and that the proposed plan is good but reiterated that he still doesn't feel the Commission can provide an answer as to whether the proposal would have any adverse effects on nearby property values because a homeowner who backs up to this site may not see the development as a plus.

Mrs. Griffin commented that there can never be a situation where 100% of the population is happy.

Ms. Keith acknowledged Mr. Bonner's comments noting that a lot of things are a guessing game but noted that she is comfortable with the proposed development, overall, and doesn't feel it would be a detriment to abutting property values. She added that she feels the proposed development presents lots

of options for existing homeowners to realize a higher return on their homes but pointed out that no one has a crystal ball.

There was no further input in connection with Apps. #4683 and #4684.

Mrs. Griffin indicated that she feels Apps. #4683 and #4684 meet the Special Exception criteria contained in Section VIII of the Zoning Regulations.

Mrs. Griffin motioned to approve Apps. #4683 and #4684 subject to the following conditions:

1. Compliance with all items/comments from the Town Engineer in a report dated January 14, 2014, and including all specifications and details contained in the Avon Subdivision and Zoning Regulations and those described in the State of CT DOT Form 816 as amended. Compliance with the submitted erosion and sediment control construction sequence narrative with proposed modifications by the Town of Avon Engineering Department dated January 14, 2014.

2. Road names shall be changed to avoid confusion with existing Town roads subject to approval by the Fire Marshal.

3. Final hydrant locations are to be approved by the Fire Marshal.

4. Plans shall clearly indicate the responsibilities of the Homeowners' Association (HOA) to maintain the proposed low impact drainage (LID) system. The applicant's engineer shall prepare a schedule for the inspection and maintenance of this system and the schedule shall be shown on the subdivision plan. Condominium/HOA documents shall clearly indicate these responsibilities.

5. Several areas are to be subject to a conservation restriction. They include land to be owned by the HOA, perimeter buffer, land connecting the private cul-de-sacs, open space Parcel #6470043, open space Parcel #3010065, and land which consists of the rear portion of several lots located to the east of Stratford Crossing and which adjoin proposed Town open space (Parcel #6470046). The terms of this restriction shall follow Appendix E (copy enclosed) of the Inland Wetlands and Watercourses Regulations and state that these restrictions are required as a result of this approval.

6. A separate map shall be prepared which identifies all open space areas, (Town and HOA) subject to conservation restrictions, areas to be owned by the Town but maintained by the HOA (landscape islands), and private open space areas subject to a public easement in favor of the Town.

7. Clearing limits shall be marked in the field and reviewed by Town Staff prior to any clearing. The applicant is also encouraged to preserve trees where possible along proposed roadways and between homes.

8. The applicant has provided landscape sketches and landscaping criteria for homes to be located on private roads and homes to be located on public roads. The applicant shall submit an individualized landscape plan for each house prepared by a licensed landscape architect, in conjunction with the submission of an application for a building permit. The landscape architect shall certify compliance with these criteria. Prior to the issuance of a Certificate of Occupancy (C/O) the company employed to install plants shall certify in writing as to compliance with the design prepared by the landscape architect. If weather conditions do not permit planting and a C/O is requested, the applicant shall provide a letter reciting this obligation and specify a date when the work will be completed (as soon as weather permits).

9. All recreational trails, both public and private shall be constructed prior to the issuance of any building permits. The 3 public access areas to the Town open space (Stratford Crossing) shall include a pressure-treated split rail fence framing the entrance for the first 25 feet. All trails are to be signed using "standard" Town signage. A signage plan shall be submitted to Town Staff for approval.

10. Plans shall clearly label Stratford Crossing as a temporary cul-de-sac. (Consider posting a sign at end of cul-de-sac alerting buyers).

11. A plan shall be prepared detailing all proposed stop signs, stop bars, and street lighting, subject to approval of the Traffic Authority. The applicant shall install stop signs and stop bars at the following locations (if approved by the Traffic Authority):

- Stratford Crossing and Haynes Road (1)
- Southampton Lane and Stratford Crossing (1)
- Stratford Crossing and Lenox Road (3 way)
- Northampton Ridge and Stratford Crossing (1)
- Londonderry and Lenox Road (1)
- Concord Place and Lenox Road (3 way)

12. All infrastructure to be constructed in association with private roads shall be subject to specifications and bonding requirements/rules similar to public roadways.

13. The proposed decorative columns adjacent to the landscaped islands on Stratford Crossing and Lenox Road shall be eliminated. Also, any reference to a change in pavement shall be removed. In lieu of the columns, the applicant's landscape architect shall prepare a revised plan which introduces additional plant material in this same location aimed at achieving the same traffic calming objective. Plants shall be chosen which will address the Staff's concerns regarding fixed objects close to the edge of pavement. The final plan is subject to review and approval by the Town Engineer.

14. All areas to be landscaped as shown on plans prepared by Richter & Cegan, not to include individual lots, shall be planted as soon as possible. A planting schedule shall be submitted to Town Staff for review and approval prior to the start of construction. At a minimum, all required landscaping shall be installed within each phase of the project prior to the start of the next phase and landscaping shall be installed, if adjacent to an adjoining home, prior to the issuance of a C/O for that home.

15. All lot corners along public or private open space shall be pinned in accordance with detail shown but utilizing a 36" rebar so that approximately 6" of the rebar remains above finished grade. Signs approximately 5" x 5" spaced at 50-foot intervals and mounted on 4 x 4 pressure-treated wooden posts shall be installed to identify the boundary of all protected open space areas from private lots. Signage shall be installed where every public access point intersects with a public road. HOA documents shall contain language making it clear that the association shall be responsible to ensure that all open space signs remain in good repair and be replaced if necessary.

16. The "detailed sediment and erosion control narrative and conservation sequence" prepared by the applicant with edits from the Town Engineer dated January 14, 2014, shall be complied with.

17. Road construction shall begin at the intersection of Lenox Road (existing) and Lenox Road (new). Priority shall be to complete Lenox Road and Stratford Crossing. No building permits will be issued for these roads until utilities are available and a suitable all-weather road surface has been completed. A temporary gate (design to be approved by the Town Engineer) shall be installed at the intersection of Stratford Crossing and Haynes Road with a padlock to be controlled only by the Town. All traffic related to the project shall utilize Hollister Drive and Lenox Road. When all improvements to these two roads have been completed (including landscaping), except for the final course of pavement, the first C/O may be issued. After the issuance of the 20th C/O the gate shall be removed and the roadway connection between Lenox Road and Haynes Road shall be open for public travel except for heavy trucks which require that the operator have a Class A CDL license. These heavy vehicles shall continue to use Hollister Drive and Lenox Road.

The motion, seconded by Mr. Gackstatter received unanimous approval.

Ms. Keith thanked the Commission for their time, patience, and compromise in connection with their review of this proposal.

Mr. Ferrigno thanked the Commission for their time.

STAFF APPROVALS

App. #4706 - Avon Water Company, owner, Cellco Partnership dba Verizon Wireless, applicant, request for Staff Approval under Section X of Avon Zoning Regulations for minor modifications to upgrade existing antennas, 105 Darling Drive, Parcel 2030105, in an IP Zone

App. #4707 - Avon Water Company, owner, Cellco Partnership dba Verizon Wireless, applicant, request for Staff Approval under Section X of Avon Zoning Regulations for minor modifications to upgrade

existing antennas, 24 Ridgewood Road, Parcel 3730024, in an R40 Zone

Mr. Kushner reported that App. #4706 has been approved by the Staff. He explained that the Fire Marshal has asked for an updated frequency report for App. #4707 to ensure that there is no interference with the police and fire antennas located on the tower located at 24 Ridgewood Road. Approval will not occur and no building permits issued until this report is received and no conflict exists.

OTHER BUSINESS

Annual Conference - Connecticut Federation of Planning and Zoning Agencies (CFPZA)

March 13, 2014 – Aqua Turf, Southington

Ms. Keith and Mrs. Primeau indicated that they would like to attend. Mrs. Griffin noted that Mrs. Primeau is up for a 25-year award.

Mr. Kushner noted that there will information presented at the dinner regarding medical marijuana.

There being no further business, the meeting adjourned at 9:30pm.

Respectfully submitted,

Linda Sadlon, Clerk

LEGAL NOTICE

TOWN OF AVON

At a meeting held on January 28, 2014, the Planning and Zoning Commission of the Town of Avon voted as follows:

App. #4683 -PDP Financial, LLC, and MOJO Enterprises, LLC, owners, Sunlight Construction, applicant, request for 39-lot Subdivision, “Stratfordshire”, 45.5 acres, 44 Lenox Road, Parcel 3010044, in an R30 Zone APPROVED WITH CONDITIONS

App. #4684 - PDP Financial, LLC, and MOJO Enterprises, LLC, owners, Sunlight Construction, applicant, request for Special Exception under Section IV.A.4.k. of Avon Zoning Regulations to permit single-family cluster development, 44 Lenox Road, Parcel 3010044, in an R30 Zone APPROVED WITH CONDITIONS

App. #4703 -DP3 LLC, owner, John Dillon, applicant, request for Special Exception under Section VI.C.3.b.of Avon Zoning Regulations to permit Class III restaurant, 300 West Main Street, Parcel 4540300, in a CR Zone APPROVED WITH CONDITIONS

App. #4705- Martha Dean, owner/applicant, request for Special Exception under Section IV.A.4.s.of Avon Zoning Regulations to permit home occupation, 144 Reverknolls, Parcel 3690144 in an RU2A Zone APPROVED WITH CONDITION

Dated at Avon this 29th day of January, 2014. Copy of this notice is on file in the Office of the Town Clerk, Avon Town Hall.

PLANNING AND ZONING COMMISSION

Linda Keith, Chair
Carol Griffin, Vice Chair

LEGAL NOTICE
TOWN OF AVON

The Planning and Zoning Commission of the Town of Avon will hold a Public Hearing on Tuesday, February 18, 2014, at 7:30 pm at the Avon Town Hall on the following:

App. #4708 -Meredith Corporation dba WFSB-TV, owner/applicant, request for Special Exception under Section IV.A.4.a.of Avon Zoning Regulations to replace communications tower and add Doppler Radar weather system, 375 Deercliff Road, Parcel 2090375, in an RU2A Zone

All interested persons may appear and be heard and written communications will be received.

Applications are available for inspection in Planning and Community Development at the Avon Town Hall. Dated at Avon this 3rd day of February, 2014.

PLANNING AND ZONING COMMISSION

Linda Keith, Chair
Carol Griffin, Vice Chair