

The Planning and Zoning Commission of the Town of Avon held a *GoToMeeting* on Tuesday, January 11, 2022. Present were Peter Mahoney, Lisa Levin, Mary Harrop, Joseph Gentile, Dean Hamilton, Robin Baran, Chet Bukowski and Alternates Elaine Primeau (did not sit), Thomas Armstrong (did not sit), and Julie Rousey (did not sit). Also present was Hiram Peck, Director of Planning and Community Development.

The meeting was called to order by Mr. Peck at 7pm who explained that the Assistant Town Clerk, Nick Hogan, was present to swear in new members (Baran and Rousey, Alternate) and reappointed members (Levin and Primeau, Alternate).

Mr. Hogan addressed Mesdames Levin, Baran, and Alternates Primeau and Rousey asking them to raise their right hands and then swore them all in.

ELECTION OF OFFICERS

Ms. Levin nominated Mr. Mahoney to serve as Chair of the Commission. No further nominations were received and nominations were closed. The nomination of Mr. Mahoney as Chair received unanimous approval.

Mr. Mahoney chaired the meeting.

Mr. Mahoney nominated Ms. Levin to serve as Vice Chair of the Commission. No further nominations were received and nominations were closed. The nomination of Ms. Levin as Vice Chair received unanimous approval.

OTHER BUSINESS

8-24 Referral – Cell Tower – 277 Huckleberry Hill Road

Mr. Peck reported that this is an 8-24 Referral from the Town Council who has met and discussed this item on several occasions. The Commission's narrow role in this issue relates to the extension of the lease on municipal property. He explained that tonight's information relative to the 8-24 Referral before this Commission is not a public hearing but noted that a public hearing was held by the Town Council.

Ms. Levin said that this 8-24 Referral requires the Commission to look at whether the lease amendment complies with the 2016 POCD. The Commission's narrow scope of review in this case pertains to the aesthetics of the pole and the antennas. One of the goals in the POCD that the Commission is to consider is to maintain adequate public facilities to serve Avon residents and businesses and provide or assist in furnishing a range of public utilities and prioritize needs identified by the Avon Fire Department to upgrade existing facilities. She indicated that she does not believe that the subject amendment to the lease for the cell tower interferes with the broader goals of the POCD. The amendment to provide an upgrade to the existing facility is the only viable option to carry out the purpose of the POCD.

There were no further comments.

Ms. Levin motioned to approve the 8-24 Referral from the Town Council, as it complies and is not in conflict with the 2016 POCD. The motion was seconded by Mr. Hamilton and received approval from Mesdames Levin, Harrop, and Baran, and Messrs. Hamilton, Mahoney, Gentile, and Bukowski.

PUBLIC HEARING

App. #4967 - Waterville Road LLC, owner, ENE Realty, applicant, request for Special Exception under Section VII.C.4.b.(2) of Avon Zoning Regulations to permit detached sign, 22 Waterville Road, Parcel 4500022, in a CPA Zone

Ed Queirolo, ENE Realty, was present.

Mr. Queirolo explained that the proposal is to replace the existing detached sign with a detached directory-style sign. He indicated that his tenant “Women’s Health” will be leaving the building after being there for 20 years and it will be difficult to find one tenant to occupy the whole building.

Mr. Peck explained that the proposed sign requires a slight rebuilding of the existing stone wall in front of the site. The sign size, as proposed, as well as the existing landscaping meet the Regulations such that Staff recommends approval with conditions noted in Staff Report.

There being no further comments for App. #4967, the public hearing was closed.

App. #4966 - Farmington Valley Gateway, LLC, owner, Carpionato Group LLC, applicant, request for Special Exception under Section VII.C.5.c. of Avon Zoning Regulations to permit detached sign 50 Climax Road, Parcel 1830050, in an AVC Zone

The public hearing was continued from the December 14 meeting.

Robert M. Meyers was present noting that all the information was presented at the last meeting. He acknowledged receipt of Staff Comments adding that the applicant has no problems with any of the comments and offered to answer any questions. He noted that Mike Cegan was also present.

In response to Ms. Levin, Mr. Meyers indicated that the applicant would agree to a condition of approval requiring a monthly report detailing the status of leasing efforts. He further indicated that the report could be provided in the form of a notarized affidavit. Additionally, he noted that the report would be supported by emails and other written communications between the applicant and prospective lessees but clarified that information relative to business names will be removed.

In response to Mr. Gentile, Mr. Peck explained that while the subject application meets the existing section of the Sign Regulations, he indicated that at the last meeting the Commission requested that an additional regulation be drafted to cover additional signage for the AVC but also for similar types of applications in different locations. He explained that AVC is a unique place/location and new regulation language will be drafted with that in mind. He noted that since

the last meeting he has reviewed a number of regulations and applications for signage and is the process of putting together some regulation language right now and hopes to have it ready for review at the next meeting.

There being no further comments, the public hearing for App. #4966 was closed, as well as the entire public hearing portion of the meeting.

PLANNING AND ZONING COMMISSION MEETING

Ms. Levin motioned to waive Administrative Procedure #6 and consider the public hearing items. Mrs. Harrop seconded the motion that received unanimous approval.

App. #4967 - Waterville Road LLC, owner, ENE Realty, applicant, request for Special Exception under Section VII.C.4.b.(2) of Avon Zoning Regulations to permit detached sign, 22 Waterville Road, Parcel 4500022, in a CPA Zone

Ms. Levin motioned to approve App. #4967 subject to the following:

1. Applicant shall submit to the Town for review and approval a detailed sign plan showing all materials to be used on the detached sign prior to beginning any site activities for sign construction.
2. Sign materials shall be selected so that they coordinate and are compatible with the existing/supporting stone wall.
3. Lighting for the sign shall not hinder vision of any motorists traveling along Waterville road. Internal lighting is not recommended. If external lighting is used, landscaping is required to screen the lighting source.
4. Sign shall be located outside of the State ROW and shall not obstruct the sightline or vision of any motor vehicles entering, exiting, or passing by the site.

The motion was seconded by Ms. Baran and received unanimous approval.

App. #4966 - Farmington Valley Gateway, LLC, owner, Carpionato Group LLC, applicant, request for Special Exception under Section VII.C.5.c. of Avon Zoning Regulations to permit detached sign 50 Climax Road, Parcel 1830050, in an AVC Zone

Ms. Levin motioned to approve App. #4966 subject to the following:

1. The Commission finds the Special Exception requirements of Section VIII of the Avon Zoning Regulations are met by this application and specifically the explanation provided by the applicant is found to be applicable to this unique, specific location and situation.
2. The Commission, by this approval, hereby selects Option Number 1 (tower) as the support structure for the sign panels.
3. The maximum number of different sign panels that may be placed on the sign is ten (10). To be clear, this means that a maximum of 10 panels with the names of the same businesses as viewed from both westbound and eastbound are permitted. The panels shall be installed as shown on the submitted application materials.
4. The sign panels shall not be internally illuminated.
5. The support structure for the sign panels shall not be placed in such a way as to prevent building R3 from being constructed at some time in the future.

6. The applicant shall submit to Planning Staff for review and approval all final design and plan details for construction of the support structure for the approved tower prior to onset of any construction.
7. The sign panels shall not contain any commercial logos, but may vary as to the font type.
8. A lighting fixture shall be placed on the upper portion of the tower. Applicant shall submit to the Town for review and approval prior to installing any light fixture a detailed fixture and lighting plan.
9. Applicant shall provide monthly to the Town a detailed report, in accordance with the agreement reached at the meeting, regarding all leasing efforts that have been made.

The motion was seconded by Mr. Bukowski and received unanimous approval.

Affordable Housing DRAFT Plan – public discussion and possible action

Mr. Peck reported that originally we were trying to get this completed by the end of June but an extension was requested, based on various comments and questions, and that extension was granted to the end of the year but now we need to take action to have this Plan given consideration by the Department of Housing. The current draft is the fourth or fifth revision of the Plan. He indicated his receipt of comments received from some Commission members (i.e., details regarding sources of information and references as well as wording/terminology) confirming that he is happy to address them but recommended that the current draft be adopted by the Commission tonight so that we can begin processing the relatively minor remaining concerns. He said that he suspects that the Commission may want to take this document to a formal public hearing in the next 30-60 days to gain input from the public such that a final Plan can be achieved. Once input from a public hearing is obtained the Commission would decide on any changes that may be appropriate and then finalize the Plan, which should happen within a month or two. He said that he thinks the current draft is pretty good. He concluded by confirming that he would make the requested adjustments and get the information back to the Commission before the next meeting.

Mr. Mahoney said that he is happy with the current draft Plan; it has come a long way and action needs to be taken. He indicated that the Plan is a document that says where we currently are and includes action items to pursue to decide what works best for us. He noted his agreement with Mr. Peck that we should adopt a final draft Plan before a public hearing is held.

In response to Ms. Baran, Mr. Peck confirmed that he has received all of her questions and requests and noted that he will respond directly to her.

Mr. Bukowski said that while he thinks the current draft has some good aspirational information he asked if it could be tweaked to make it more mandatory so some of the stuff actually gets done.

Ms. Baran said isn't that what the proposed task force would be created to do.

Mr. Mahoney said the recommendations will come from the task force, to be made up of members of the public, Town Staff, and PZC members.

Mr. Gentile said that he thinks we've done a lot in the last 3-4 years relative to affordable housing and there are quite a few units that will coming online.

Ms. Levin noted her agreement that the Plan is aspirational but also noted that she feels the Commission has made a lot of progress to date.

In response to Ms. Levin's question regarding the information on Pages 4 and 5, Mr. Peck explained that the definition of affordable housing is usually the first thing people ask. HUD breaks the information down into categories such as very low income, low income, moderate income and then 120% of HUD fair market value is slightly above moderate income. The reason this information is included is because it is a normal part of the HUD breakdown with what is considered affordable housing. It doesn't necessarily mean that it is not affordable any more but it's a benchmark used to ensure that we include all the documentation that is provided by HUD for the normal breakdowns they do.

Ms. Levin noted her understanding and asked that the consultant provide a footnote explaining the significance of this information. She asked that something similar be provided for the chart on Page 8, also explaining its significance.

Mr. Peck noted his understanding and agreement.

In response to Mr. Gentile, Mr. Peck confirmed that the recently approved affordable units on Security Drive can now be added to the Plan.

Ms. Baran asked if the 300+ housing units noted on Page 23 refers to the buildings to be constructed in Avon Village Center.

Mr. Peck explained that he thinks that information refers to the 400 total units approved for Avon Village Center (as part of the Master Plan) but further explained/clarified that there was no requirement at the time of that approval that any of those units be affordable and noted he would make that clarification in the Plan.

Mr. Mahoney recollected that years ago during meetings for the Avon Village Center master plan the Commission did discuss, in passing, the idea of gaining some affordable units relative to the residential housing.

Mr. Peck explained that we still don't have a good picture of what the residential component of the Village Center. There was discussion about two buildings on Bickford Extension but there was no further discussion at that time. He confirmed that as that aspect evolves he would certainly bring information to the Commission.

In response to Mr. Bukowski, Mr. Peck explained that each section of the Avon Village Center project is bonded as it moves forward. The first phase is split into two phases but currently we only have buildings in Phase 1A; the bonding for Phase 1A will not be released until everything is completely constructed and meets all Codes. The approved master plan contained between five to seven phases with a buildout to occur over a number of years. He explained that all future phases are really to be determined by the developer. Covid created a significant setback and then

retail experienced a setback too such that we are maybe three years behind in total development.

Mr. Gentile addressed the summary page noting that it says “...*affordable housing is generally defined as housing that is available to households making less than the area median income and costing less than 30% of a household’s annual income...*” but said that references are made later in the draft that renters who pay 27% of their income have a burden to live in Avon. He asked for clarification and the accuracy of the numbers provided.

Mr. Peck noted his understanding and indicated that he will get clarification on this for Mr. Gentile. He explained that the affordability definitions are not specific to Avon; the definitions are nationwide but the numbers relative to the average median income are specific to Avon. Each town has a different average area median income and the numbers are derived for each Town. He said that he will put into the Executive Summary a clarification statement addressing Mr. Gentile’s question.

In response to Mr. Bukowski, Mr. Peck confirmed that Avon is part of western Hartford County adding that that is where the median income figures come from and that is also where the HUD regional figures come from.

In response to Mr. Mahoney, Mr. Peck indicated that it has been suggested that a page be added at the end citing references and sources of data.

There were no further comments.

Ms. Levin motioned to adopt the DRAFT Affordable Housing Plan allowing the opportunity for Staff to incorporate all the comments provided to date. The motion was seconded by Ms. Baran and received approval from Mesdames Levin, Baran, Harrop, and Messrs. Mahoney, Gentile, Hamilton, and Bukowski.

OTHER BUSINESS

Stratford Crossing – status update from developer

Mr. Peck reported that the developer is recovering from being sick for the past 3-4 weeks and therefore not much has been done except for the installation of a few monuments. He noted that the large items previously discussed have not been addressed but confirmed that the situation will be continually monitored and information reported to the Commission as it becomes available.

STAFF UPDATES

Temporary Commercial Sign Process (per pandemic)

Mr. Peck explained that Town enforcement of temporary signs, especially along Route 44, has been relaxed due to Covid and suggested that we continue to operate this way for at least the next six months, if the Commission is in agreement. He confirmed that excessive signs are inappropriate but said that one sign per business seems acceptable. The business owners feel strongly about this and likely put signs out because they need people to patron their business. The Commission indicated their agreement.

Legal Updates – Town Attorney

Mr. Peck said that he would like to have the Town Attorney address the Commission with regard to new legislation. He suggested that a special meeting dedicated to discuss new legislation may be the best approach and offered to find out when the Town Attorney may be available. He agreed that training for new Commission members (procedures, ethics, compliance) could also be provided at this meeting. The Commission indicated their agreement.

Review and possible revision of PZC Procedural Rules

Mr. Peck suggested that the procedural rules governing the Commission's actions (voting and making motions, etc) be reviewed to see if some updating is appropriate. He noted that these rules were created back in the 1980s or 1990s and offered to present some revisions at a future meeting. The Commission agreed.

Ms. Levin congratulated Mr. Mahoney as the newly elected Chair and thanked Mr. Armstrong for his leadership and commitment as prior Chair. She welcomed the Commission's new members and added that she looks forward to working with all returning members as well as all new members.

There being no further business, the meeting adjourned at 8:20pm.

Linda Sadlon

Avon Planning and Community Development