The Planning and Zoning Commission of the Town of Avon held a meeting at the Avon Town Hall on Tuesday, October 29, 2019. Present were Linda Keith, Chair, Thomas Armstrong, Vice Chair, Mary Harrop, Peter Mahoney, Lisa Levin, Joseph Gentile, Brian Ladouceur, Jr., and Alternates Elaine Primeau, Jill Coppola, and Linda Preysner. Also present was Hiram Peck, Director of Planning and Community Development.

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

**PUBLIC HEARING**

App. #4905 Estate of Donald Cole, owner/applicant, request for two-lot Resubdivision, 12.40 acres, 70 Sunrise Drive, Parcel 4190070, in an R40 Zone.

App. #4906 Estate of Donald Cole, owner/applicant, request for Special Exception under Section III.G.4.f.of Avon Zoning Regulations to permit regrading in the floodplain, 70 Sunrise Drive, Parcel 4190070, in an R40 Zone

App. #4907 Estate of Donald Cole, owner/applicant, request for Special Exception under Section IV.A.4.p.of Avon Zoning Regulations to permit two rear lots, 70 Sunrise Drive, Parcel 4190070, in an R40 Zone

Present were David Whitney, PE, Consulting Engineers, LLC, representing the applicant, and Bill Cole, applicant.

David Whitney displayed maps of the site noting the site is 12.4 acres in the R40 zone, located at the end of Sunrise Drive. A house built in 1965 exists on the front portion of the site; the Sunrise Drive subdivision was approved in the 1960s. The request is to resubdivide 12.4 acres and create a nine-acre new rear lot to the rear of the site with 3.4 acres to remain with the existing house, which is also a rear lot by Regulation definition. The proposed new rear lot would be accessed by an easement over the existing driveway that serves the existing house (Lot #1). In connection with driveway construction some filling will occur in the flood fringe. Total wetlands on the site is 6.38 acres, or 51% of the site. The non-wetland areas total 6.02 acres, or 49% of the site, and are comprised of knolls which are higher in elevation than the wetlands. The proposed house for the new rear lot will be located on a large non-wetland area (3.3 acres) located on the northern portion of the site; the area where the house and septic system would be located is 2.5 acres. The proposed driveway comes off of Sunrise Drive, crosses a wetland, crosses over a non-wetland knoll and crosses another shorter wetland, then leads up to the new house on the northern portion of the site. Approval has been received from the Inland Wetlands Commission for a house and septic system located within regulated areas; the non-wetland soil is very well drained such that no fill is required for the septic system. The Farmington Valley Health District confirms that the site can support a septic system. An area next to the driveway in the non-wetlands knoll will be excavated to compensate for fill required to build the driveway because the Regulations do not allow the flood capacity to be reduced.

In response to Mr. Armstrong, Mr. Whitney confirmed that the areas of excavation and filling are regrading activities.

In response to Mr. Mahoney, Mr. Whitney explained that three small culverts are proposed to handle the water coming through the driveway. He noted that the Inland Wetlands Commission requested that when the soil below the 11-foot wide driveway is removed that a foot of stone be placed along the entire wetlands crossing to allow unimpeded flow of ground water.

In response to Ms. Keith, Mr. Whitney explained that wetlands crossing #2 will have two 15-inch culverts. He further explained that this crossing is higher and outside of the flood zone such that the fill required will have no impact on the floodplain.

Mr. Whitney addressed water explaining that an onsite well is proposed for the new lot/house; the existing house is also served by an onsite well. He explained that the closest public water supply is about 600 feet away at a subdivision called Aspenwood. He explained that the entrance to the existing driveway will be reconfigured to bring in one new driveway to serve both lots. The new driveway will come in about 25 feet (12 feet wide); the new entrance to the existing house will curve in and connect to the existing driveway while the rest of the driveway (11 feet wide) will continue on to reach the new house lot.

In response to Mr. Armstrong, Mr. Whitney confirmed that a shared driveway agreement for the first 25 feet of the driveway will be necessary. He explained that what is proposed and what is typically done is that the front lot (existing house) owns the driveway and the new rear lot has an easement to travel over it. He added that he believes the proposal meets the requirements of the Zoning Regulations.

In response to Mr. Mahoney, Mr. Whitney explained that the flood storage area is going to be a wetlands mitigation area. At Michael Klein’s (soil scientist) suggestion, the organic material to be removed from below the driveway will be used to line the excavated area and then seeded with a wetland mix.

Mr. Whitney referenced the special exception criteria in Section VIII noting that the proposal is for one new single-family house on a nine-acre lot surrounded by residential houses in the R40 zone. There is adequate parking and driveway access, approved by the Fire Marshal and Traffic Authority. Traffic from one new house will not overburden Sunrise Drive. Septic and well locations are approved; approvals have been received from the Farmington Valley Health District and the Inland Wetlands Commission. A conservation easement is proposed, and agreed to by the applicant, for all the wetlands on the site (7.56 acres, or 61%) such that there could be no further resubdivision of the site. He stated that it is the applicant’s belief that the proposal meets the special exception criteria in Section VIII and, in addition, the applicant agrees to all the comments in Mr. Peck’s memo dated October 23, 2019.

In response to Ms. Keith, Mr. Whitney explained that the vegetation in the area between the subject site and Haynes Road is mainly deciduous trees such that the visibility will depend on the time of year. There is 80 feet between the property line and the proposed house and a 25-foot existing buffer to Haynes Road will remain.

In response to Mr. Armstrong, Bill Cole, applicant, indicated that construction would begin as soon as approval is granted.

Ms. Keith asked about snow removal and the aforementioned driveway easement.

Mr. Cole explained that easements are usually in favor of the utility companies but further explained that the proposed new rear lot will have the easement and therefore maintenance responsibility.

In response to questions, Mr. Whitney clarified that the easement area/access way is 30 feet wide and 20.9 feet long; the construction activity is about 22 feet within the 30-foot easement area. He explained that there will be 25 feet of shared driveway between both lots reiterating that a shared driveway agreement will be required and details (snow removal/storage) could be worked out at that time.

The hearing was opened for public comment.

Carol Griffin, Haynes Road, referenced the Subdivision Regulations, Section 5.06, cul-de-sacs and dead end roads and how many houses are allowed. She noted that currently there are 24 lots in the Sunrise Drive Aspenwood area using the intersection of West Avon Road as an entrance. This is over the 20-lot maximum permitted for a dead end road, whether it be permanent or temporary. She said she doesn’t know what proof was offered for the last application that went through but noted that they have to show that the plan that was presented showed that it provided for the health safety and welfare better than a plan for just 20 lots. If a tree blocked the road all the residents would be trapped with no escape in or out and emergency services would be blocked from entering. She commented that Haynes Road was blocked by a tree during the ice storm of 2011 and without electricity or services for 11 days. The aforementioned Regulation is in place for a reason and is why the number of lots should not be exceeded. She asked that the applications be denied because they do not meet the requirements of the Regulations.

Mr. Peck addressed the Subdivision Regulations explaining that there is a waiver provision contained in Section 5.06. He referenced the Regulation language noting that if the applicant can demonstrate that he can adhere to these design standards but an alternative plan better protects the health, safety, or welfare of the community the Commission may waive these standards using the provisions of Section 1.05.4 of the Regulations and the Commission may base its decision, in part, on the recommendations of the Traffic Authority and Fire Marshal. He explained that the Fire Marshal recommends sprinkling the residence as well as showing where the closest fire hydrant is located. The items that the Commission must discuss relative to waivers are as follows and contained in Section 1.05.04 *Waiver*:

i. The waiver has been specifically requested by the applicant;

ii. Conditions exist which affect the subject land adversely and are not generally applicable to other land in the area;

iii. In the absence of a waiver, one or more requirements of these regulations cannot be satisfied;

iv. The requested waiver is the minimum deviation from the requirements of these regulations necessary to permit subdivision or resubdivision of the subject land; and

v. The granting of the waiver will not have a significant adverse effect on adjacent property or on public health, safety and welfare.

Mr. Peck explained that while the Commission does not have the ability to waive the Zoning Regulations in this case it is possible and permissible, per discussions with the Town Attorney, to waive Subdivision Regulations should the standards be contained in the Regulations, which they are. It is the Commission’s decision/choice to grant a waiver based on what they’ve heard and how they feel about the information received. The length of Sunrise Drive from West Avon Road to the end of the cul-de-sac is about 1,714 feet, per the Town’s GIS information, which is just short of 2,000 feet. There are a couple of lots with access from Aspenwood and there is one undeveloped lot that is joined to another lot that may be developed in the future. Mr. Peck concluded by noting that if the Commission finds the subject application acceptable there may be another lot or two on Sunrise Drive that could be developed but that would be all; it’s up to the applicant to make their case with regard to the waiver standards.

In response to Ms. Keith, Mr. Whitney explained that the applicant has indicated that he will consider the recommendation to sprinkle the house and the house will be built in accordance with all building and fire codes.

Mr. Cole commented that when Aspenwood was approved that put the road over 20 lots and asked how that was allowed.

Ms. Keith commented that there must have been a waiver for Aspenwood.

Mr. Whitney noted his recollection that in past years there would usually be a debate as to where you start counting the 20 lots from; for example, if you start counting from the Aspenwood intersection it’s certainly under the 20 lots.

Mr. Peck explained that if the Commission chooses to allow a waiver the Regulations require a 75% vote.

There being no further input the public hearing for Apps. #4905, #4906, and #4907 was closed, as well as the entire public hearing portion of the meeting.

**PLANNING AND ZONING COMMISSION MEETING**

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Mr. Mahoney motioned to table Apps. #4905, #4906, and #4907 to the next meeting. The motion, seconded by Ms. Levin, received unanimous approval.

**INFORMAL DISCUSSION**

Dom’s Coffee – 20 West Main Street

Mr. Peck reported that this item will be discussed at the November 19 meeting.

Senior Independent Living Community – Dinsmore & Shohl LLP

Brian Blaesser, Dinsmore & Shohl, was present on behalf of Cameron General Contractors, developers of Senior Independent Living Communities. Also present was Bob Lewis, Director of Development, Cameron General Contractors, Lincoln NE.

Bob Lewis explained that Cameron General Contractors builds, owns, and operates independent senior living facilities all over the country and that’s all they do. There is a facility in South Windsor to open in June and one facility under construction in Trumbull. The Company currently has about 600+ employees and is currently the largest developer of independent living facilities in the USA. There are currently 31 facilities open with a new facility opening about every five weeks; there are 14 under construction and 30 sites in the development stage. The Company started in 1989 and the first facility opened in Lincoln NE in 2000.

Brian Blaesser explained that a PowerPoint will be presented and also submitted hard copy material for the Commission. He explained that the need for independent senior living in Avon and the fiscal benefit will be discussed as well as traffic impacts and zoning that may apply for this use. He clarified that senior independent living (essentially 55+) is not assisted living and is not a development that has additional components (e.g. memory care). This type of development is for those who want to stay in their community but don’t want to maintain a house; it’s resort-style living in an upscale environment. Cameron General Contractors look at an eight-mile radius to determine where the need is for senior living; the average age of residents is 75+. The current supply of senior living in this area within this eight-mile radius is 1,169. At this time there is a deficiency of about 511 units and the proposed project is about 130 units.

In response to Ms. Levin, Mr. Blaesser explained that the eight-mile radius would definitely cover Simsbury adding that eight miles tends to be the normal range that people are willing to come from. He indicated that he will provide a handout later that explains what is included in the aforementioned 1,169 units. Ms. Levin commented that she sees a lot of these types of units nearby, such as the large anthology building on Highway 4, adding that she doesn’t know how many units are located there but it seems like we have a lot. Mr. Blaesser noted his understanding but clarified that all the units may not be independent living and offered to provide more information to the Commission.

In response to Mr. Mahoney, Mr. Blaesser, explained that although the permitted age is 55+ the typical age range for those in this type of community is 75+. They may bring a car but often stop using it as there is a shuttle bus to take residents places; this use is a low traffic generator.

Mr. Lewis explained that people that move into independent living facilities are those who have lost a spouse; lost the ability to drive; and/or can no longer maintain a home. No advertising is done for people under 75 years of age and the average age of move in is 85 years of age. Studies for the last 20 years show and hold true that within the eight-mile radius 70-75% of the people already live in the area. This type of facility is strictly independent living and not a licensed community (no memory care or assisted living). He clarified that in accordance with Federal Regulations the facility is 55+ but reiterated that marketing (mailings) is only sent to those who are 75+ years of age. He indicated that the subject proposal is for 130 units (128 rentable) with 155 residents on average when fully occupied. A single monthly all-inclusive rent for a community with a lot of amenities. Rent includes three meals per day and all utilities (TV and internet throughout the building); a full kitchen with a chef and serving staff. The building will have a 150-seat theater, a fitness room with fitness director, live-in managers such that the building is staffed 24/7. The building will have a salon and barber; pharmacy drop off; free shuttle bus and valet parking and concierge service; a travel program. One of the suites (of the 130) is for visitors coming from a different location at no extra charge. Transitioning in and out of the community is made as easy as possible for residents. The facility is pet friendly, at the manager’s discretion; there are patios on the first floor units.

Mr. Blaesser explained that although typically a fiscal impact analysis is done for a proposed development it is pretty well documented that the proposed use is a net fiscal benefit to a community. The proposed use also provides for a range of housing types that gives communities resilience and the diversity they need.

Mr. Lewis explained that they are very early on in the process; this is the first meeting other than with Town Staff. He displayed a site plan of the proposed building on Nod Way but stressed that the design details have not yet been discussed with Town Staff. The building has two wings with 130 units located on either end with the center area being the community area (amenities and kitchen). Garages are offered but noted that about 50% of the residents in the existing communities do not bring a car or drive.

In response to Ms. Keith, Mr. Lewis explained that 30 full time employees would work at the proposed facility with 15 employees during the largest shift during the day.

Mr. Lewis continued by explaining that the wetlands on the subject site would not be impacted at all by the proposed development. A single driveway access to the front of the building is typical with a drop off area for residents; valet parking is also offered. The theater is in the back of the building and the dining area is one story with an open atrium; there is a patio around the exterior of the building. Kitchen drop off is to the rear of the building.

In response to Ms. Levin, Mr. Lewis explained that custodial care is not something that is tracked due to privacy issues for the residents and therefore there is no data. Residents can hire a third-party provider if they wish and it cannot be regulated. The facility has live-in managers but when residents reach a point where they need multiple services (help with bathing, help getting up and down, etc.) they will be asked to transition out of the facility which they do because it is less expensive (i.e., assisted living facility is less costly than hiring people to come in for different things).

In response to Mr. Gentile, Mr. Lewis explained that the average stay is six years.

In response to Mrs. Harrop, Mr. Lewis noted that the subject site is 9.2 acres in total.

In response to Mr. Mahoney, Mr. Lewis explained that the entire building is three stories noting that the atrium area is about five feet taller than the rest of the building.

Mr. Lewis reviewed the building layout explaining that the apartments (one and two bedrooms as well as some three bedrooms, if requested) are located on the ends of the building. He pointed out all the other areas/amenities such as dining, lounge, theater, fitness area, gift shop, pharmacy drop off, private meeting room, salon and barber shop, post office, kitchen area and administration/operations area, sales and marketing area/manager’s office. There are common areas on the wings for residents (conversation areas). He clarified that there are no elevation drawings available at this point but explained that building materials and construction type typically match what’s in the area; high quality building materials are used so they hold up.

Ms. Keith commented that there is only about seven acres to build on and seems a bit of a stretch.

Mr. Blaesser explained that they’ve built facilities on seven acres before.

Mr. Lewis explained that that is why they are here to make their presentation.

Mr. Armstrong commented that there are probably ratios that need to be looked at relative to the developable land on the site.

Mr. Lewis noted his agreement reiterating that research to that depth has not yet occurred. He explained that 130 units is the number that works with the amount of amenities and services provided to the residents. A two-bedroom husband and wife occupancy is in the range of $4,200 to $4,500 per month adding that the market of the area will dictate the cost.

Ms. Keith said that the two locations in CT are in cities; Avon is not a city and we live here.

Mr. Lewis commented that he’s not sure South Windsor would consider themselves a city.

In response to Mrs. Harrop, Mr. Lewis confirmed that all the amenities are included in the monthly costs for the residents and are strictly for use by the residents and not for use by anyone outside the facility.

In response to Ms. Keith, Mr. Lewis explained that the monthly rent includes weekly housekeeping and maintenance and bed linens are included. Ms. Keith commented that there are three of these facilities in Farmington. Mr. Lewis communicated his understanding reiterating that they have done market research and looked at the deficiency and understand where the senior population is going over the next five years adding that there will continue to be a deficiency of available senior housing of this type.

In response to Mr. Ladouceur, Mr. Lewis explained that 70-75% of residents come within an eight-mile radius adding that this has held true for the past 20 years of this industry.

Mr. Ladouceur commented that the other 30% are tied to the community due to adult children and grandchildren living in the area and the residents tend to be full time rather than snowbirds. Mr. Lewis concurred adding that one of the extra apartments is for the full-time managers living in the facility and the other apartment is available to be rented as a guest suite by someone visiting a resident or can be used by a resident traveling from another community. Mr. Lewis confirmed that the community area is three stories but clarified that the theater and dining areas are not three stories but rather are about one and a half stories each. The kitchen is also not three stories. There are some seating and conversation areas as you go up to the second and third floors within the community area. There’s a billiards area and a library on the second floor overlooking the dining area. He explained that elevation drawings would better show these types of details and would be available if the project progresses.

In response to Ms. Keith, Mr. Lewis explained that all facilities have a contiguous sidewalk for residents that runs along the building exterior. He noted that garden areas for the residents have been done at other facilities with seating areas, raised planters, and a gazebo; he added that he is not sure if a garden is shown for the subject site. Ms. Keith noted her concern that the delivery area is located in the area where people will be walking around. Mr. Lewis explained that less than one delivery per day is the average adding that the design of outside areas has worked well for the past 20 years.

Mr. Mahoney commented that the South Windsor facility (Evergreen Walk) is located on Route 32, which is a four-lane road.

In response to Mrs. Harrop, Mr. Lewis explained that the site in South Windsor is about 15 acres in total adding that the facility utilizes about six or seven acres; there are wetlands to the rear of the site that are unbuildable.

Ms. Keith commented that the subject site is located on a local, two-lane road.

Mr. Lewis indicated that, if requested, he could get some traffic numbers relative to the subject site.

In response to Ms. Levin, Mr. Lewis indicated that the highest number of employees in a shift is 15 and two live in the community. He explained that while employee parking is not typically designated, employees usually park in the back and not in the front.

In response to Mr. Mahoney, Mr. Lewis explained that typically parking is provided at a 1:1 ratio, equating to approximately 150 spaces in total, which includes garages. He added that they’ve done parking studies to support these numbers. Valet parking is also offered to residents.

In response to Ms. Keith, Mr. Lewis explained relative to events that there may be a Christmas show in the winter. He explained that the facility has a full-time lifestyle director who may take residents offsite via shuttle bus to attend local community events (e.g. theater, local choir). Ms. Keith asked if the parking takes into account families coming in for holiday events at the facility. Mr. Lewis confirmed that the proposed parking takes into account resident events and there has never been a parking issue in the past 20 years.

Mr. Blaesser explained that he has talked with other independent senior living facilities (competitors) who all have less than a 1:1 ratio for parking; the parking is not being used. The average use is below a 1:1 ratio such that there is plenty of parking for events. He acknowledged his understanding of concerns and confirmed that parking needs will be addressed moving forward. He explained that senior independent living is a very low traffic generator, possibly the lowest. The ITE methodology is very sound and well established, based on 4,000 studies done throughout the country. He added that a traffic analysis for the subject site would still be done.

In response to Ms. Levin, Mr. Lewis explained that the facility in Marlborough is comparable to the subject site, in a small community on a private road that comes off of a main arterial road.

Mr. Lewis stated that you can find information on all 31 communities by visiting Resort Lifestyle Communities.

Mr. Blaesser indicated that the Trumbull facility is also located on a private road adding that he does not know what main road it comes off of.

Ms. Levin asked if a citizens group has ever been allowed to intervene in the proceedings for any of the 31 facilities; specifically has an organization been listed on the documents as an intervener.

Mr. Lewis explained that at every public hearing for all 31 facilities, homeowners associations spoke and testified.

Mr. Blaesser explained that intervention is a formal legal concept which in any public hearing and approval process is not normally provided for. He added that there’s nothing in zoning that talks about formal intervention by a community group. People are welcome to weigh in on any type of issues and it’s up to the Commission to take those comments under consideration. He added that all comments would be welcome relative to the subject site.

In response to Ms. Levin, Mr. Lewis explained that there have been a couple of dozen communities that have denied their proposal. He noted that a workshop informal meeting took place in Cooper City Florida, which did not move forward, and a plan in Georgia has just been terminated. He indicated that if a favorable reaction is received we move forward but if not we move on; he added that due diligence is done for every prospective site.

Ms. Keith said that Avon already has a traffic issue on feeder roads and on Route 44. The other locations in CT are off of four-lane highways.

Mr. Lewis noted his understanding adding that Avon is not unique to that situation across the USA and that is why a traffic impact analysis is typically done.

Mr. Ladouceur referenced recent former applications for two 100-unit apartment buildings asking about the acreage.

Mr. Peck stated that one site contained about 30 acres and the other site about 40 acres.

In response to Mr. Ladouceur, Mr. Peck explained that the size of an apartment building that could be built on a seven-acre parcel depends on the zone. He further explained that there is no coverage requirement for an 8-30g application. Mr. Ladouceur commented that a multi-family 130-unit apartment building, or something larger, could be built on the size of the subject site. Mr. Peck agreed adding that there is no height limitation. Mr. Ladouceur commented that theoretically an 8-30g could have a higher traffic number, such as 1,200 to 1,300 trips per day. Mr. Peck indicated that it would be a much higher traffic generator than the subject proposed use.

In response to Mr. Ladouceur, Mr. Lewis addressed vacancy rates noting that of the communities that have been open over two years the average is 90% occupied. There is no impact to schools, plenty of driveway access for emergency vehicles (ambulances, etc.) and proximity to hospitals and other services is also a consideration. The Fire Department and Fire Marshal are involved with building design to ensure there is good access around the building. He reiterated that the community serves is largely located within an eight-mile radius.

Mr. Mahoney asked if the proposed facility is feasible given the amount of space on the site.

Mr. Peck explained that the big question for Messrs. Blaesser and Lewis is what the zoning alternatives are for the subject site.

Mr. Blaesser explained that one of the concepts discussed with Town Staff was for a rezone to CPA with a special exception. He noted that CPA is the zone used for the Residence at Brookside. He noted that Avon has already used floating zones which allow for text in the Regulations; in this case it would be for senior independent living. Floating zones are allowed to come down on sites that make sense for a specific proposal. He explained that he has drafted a lot of regulations and reviewed a lot of regulations adding that floating zones are often used in many communities for elderly housing because it allows you to have what you want but without the worry about having a traditional zone put on something that you don’t want. He asked for direction from the Commission as to whether they would like regulations drafted for a floating zone, rather than considering the CPA zone.

In response to Ms. Keith, Mr. Blaesser explained that senior independent living is a residential use and not a commercial use.

In response to Mr. Ladouceur, Mr. Lewis explained that he doesn’t know how the building would be taxed but noted that it would be a $35M construction project.

In response to Ms. Levin, Mr. Peck explained that if a floating zone is permitted to land on a certain parcel (e.g. the subject parcel on Nod Way) the floating zone stays within the boundaries of the parcel where it has landed.

Mr. Blaesser further explained that it is within the Commission’s discretion where the floating zone is allowed to come down and land; each site is a separate consideration based on the language and standards contained in the floating zone regulation.

In response to Mr. Mahoney, Mr. Peck explained that while overlay zones and floating zones have some similarities, tonight’s discussion is about floating zones which have built-in standards giving the Commission complete discretion as to where they feel it would be appropriate. He further explained that allowing a floating zone on a particular parcel does not create a new area or neighborhood; the floating zone is specific to a parcel. He explained/clarified that a floating zone is not spot zoning and added that the standards for floating zones are well established in Connecticut law.

Mr. Blaesser also confirmed that floating zones have been upheld as valid zones and are not spot zoning.

In response to Mr. Ladouceur, Mr. Peck explained that the language for floating zones would first have to be created and adopted to become part of the Zoning Regulations before an application could be presented to the Commission, just like any other application. The Commission has discretion where a floating zone would be permitted.

In response to Mr. Ladouceur, Mr. Blaesser explained that the Avon Village Center Zone (AVC) is an example of a floating zone that already exists in Town.

In response to Mr. Armstrong, Mr. Peck explained that the existing Regulations relative to apartments (residential uses) does not work for the proposed development on the subject site. He further explained that currently there is no zone in the Regulations that would allow the proposed use on the subject site.

Mr. Armstrong noted his concern that the proposal is crowded for the subject site and asked that other sites be investigated.

Mr. Mahoney and Ms. Keith noted their concerns for density on the subject site.

Ms. Keith commented that the area is treed and residential with farmland and a golf course. The character of the area would change with this proposal resulting in problems.

Mr. Ladouceur commented that the subject site is surrounded on all sides by a road and is essentially an island; he noted he is less concerned with density. The proposed use is a very low traffic generator serving 75% of the community within an eight-mile radius. The proposed use is needed in graying communities like the Valley and CT in general.

In response to Mr. Blaesser, Ms. Keith commented that the size of the proposed building does not fit well on the site and it doesn’t matter if the use is a low traffic generator. She commented that eventually the road is going to change/widen such that the proposed building would restrict anything else that may happen in the area.

In response to Mr. Armstrong, Mr. Lewis explained that the smallest facility has 116 units (Lincoln, NE) and added that they would be willing to look at potentially reducing the proposed 130 units for the subject site.

In response to Ms. Keith, Mr. Lewis explained that there are some common storage areas for residents and the apartments are a good size (1,100 to 1,200 SF). He noted that 40% of the building is common area.

Ms. Levin noted her concern that we would be adding institutional living right next to residential homes; a commercial establishment in a residential area seems so out of character.

Mr. Blaesser explained that it is not correct to call it a commercial use with respect to zoning because it’s a multi-family use. Residential can be single family or multi family. He explained that the use is not institutional in the eyes of the law.

Mr. Lewis explained that there are live-in managers but there are no licensed care givers.

Mrs. Harrop commented that Nod Road is very rural and this building would be very large; the plan is very attractive but there are not a lot of trees and there’s no place for the people to go out and walk around in the fresh air. There’s not a lot of room on the site.

Ms. Keith commented that a lot of the older people that live here came in when there were no McMansions, a lot of farmland, and a lot of quiet.

Mr. Ladouceur commented the reason for the activity director is to keep the people engaged because while many people may appreciate quiet it could also equate to loneliness for the age of the people living in this type of community, especially those who have lost a spouse.

In response to Mr. Ladouceur, Mr. Peck confirmed that walking trails could be created in the 2.5 acre wetlands area on the subject site. He noted that walking trails will also be created in the wetland area that is part of the Avon Village Center project. Mr. Ladouceur commented that people would not have to cross any streets to enjoy walking trails on the subject site.

Mr. Blaesser explained that trail systems exist in some of the communities they have developed and the trail systems are then connected at the developer’s cost. The need for passive recreation is understood.

Mr. Gentile noted his concerns are with the footprint and the style. He commented that he doesn’t find the finished products pleasing. If a conceptual plan was presented to the Commission he would be interested in the landscape plan.

Mr. Lewis reiterated that the process is in the very early stages and noted his understanding of all comments and concerns and that he would be happy to address them.

Mr. Armstrong commented that consideration should be given to the existing vegetation in the area and specifically along Nod Road relative to what would remain.

The Commission asked that the weeping willow be saved.

Mr. Lewis explained that existing landscaping is always considered and noted that if a proposal gets to that level of detail there would be landscape standards to meet. He indicated that one out of 100 75-year olds would move into this type of community; it’s not for everyone. He reiterated that there is a deficit in this area for this type of community.

Mr. Blaesser asked for a sense of what the Commission would prefer, specifically would a commercial zone such as CPA be preferable over a floating zone.

Mr. Armstrong commented that this proposal could impact sewer connection and user fees and possibly other things such that the Commission has to bounce a lot of things around to figure out what’s fair to the developer and the Town.

Mr. Blaesser noted his understanding but explained that for now he’s just asking about the zone preference. If the project has any type of possibility would it better to use an existing zone or a floating zone? He noted his understanding that a floating zone would require a public hearing to amend the Zoning Regulations.

Mr. Ladouceur commented that not using the word commercial for any proposal is going to be beneficial but added that he doesn’t think it’s a determining factor.

Ms. Levin commented that a simpler approach would be to use an alternative zone (e.g. commercial) as it would be easier for the Commission to deal with.

Ms. Keith commented that the older generations in Avon do not like zoning written for a specific construction. It’s either done by changing the Regulations ourselves or going with the Regulation that is already there. It is not good that you’re going to write a regulation and we’re going to approve it; they don’t like that.

Ms. Keith asked Messrs. Blaesser and Lewis if they have enough information to make some decisions and return to the Commission.

Mr. Blaesser responding by saying yes and that more clarification, if needed, could be obtained by speaking with Mr. Peck. He handed out demographic information to the Commission.

Mr. Ladouceur commented that the project could result in about $1M per year in additional property tax revenue.

In response to Mr. Armstrong, Mr. Lewis explained that construction usually takes about 20 months, from breaking ground to door opening.

In response to Mr. Mahoney, Mr. Lewis confirmed that the property owner is a for profit organization.

**OTHER BUSINESS**

Staff Updates

Mr. Peck reported on the Avon Village Center project explaining that the master agreement between the developer and the Town has been extensively reviewed by the Town Attorney and will soon be executed such that the developer can get a building permit to begin construction. Temporary roads near Climax and Bickford are now being constructed. The first phase of the project is five buildings (approximately 100K SF). Earth removal from the site is ongoing and trucks will travel only on State roads leaving Town; earth material is going to both Canton and Farmington. He explained that the current public streets will remain public (Climax, Ensign, Bickford) and the internal streets created by the developer will be private. The architectural plans show some signage and the hope is to keep signage minimal. The Assessor recommends that the new road “Main Street” could be called “Market Street” to avoid confusion. The name of the road “Bickford Drive Extension” may also be changed to something totally different. In addition, a new road “North Main Street” may be changed to something else but the name has not been decided. He explained that no excavation has begun for the two buildings that will be located on the other side of Climax but noted that these buildings are to be constructed about the same time as Whole Foods. There will be significant landscaping planted in front of these two buildings and parking will be in the back. An access road (emergency vehicles) will be built between the two buildings that will lead into the Whole Foods parking lot.

23 Bailey Road

Mr. Peck reported that he talked to someone recently who would like to build a house on 23 Bailey Road, which would match two houses that exist on the western side of the road, but the lot is zoned CR (commercial retail) so they can’t do it. He suggested that rezoning that lot to allow a residential use with a house that matches the two houses that are existing may be the right move for this road. He noted his understanding that there is a commercial use (chiropractor) next door to 23 Bailey Road but explained that in the future he would not be surprised if the chiropractor building turned into a few apartments, as that would make sense there. He pointed out that there are a lot of commercial uses that could be put on this lot that would be very unattractive (e.g. storage garages). Mr. Peck suggested that in order to keep this lot in character with the rest of the lots on that side of the road that all three lots be rezoned. He noted that he would bring details to a future meeting.

Avon Mill

Mr. Peck explained that the applicant would like to know if the Commission is interested in a proposal with a reduced number of units; 250 new units rather than 270. He pointed out that the residents in the existing buildings are very upset that their buildings are not going to be renovated.

Mr. Mahoney commented that he doesn’t think anything in that area should be approved until the traffic is addressed. He noted that it’s been very bad since the CREC School was built. The traffic between Wright Drive and the intersection of Route 44 and Nod Road needs to be addressed. The River Mead area is a real problem.

Mr. Gentile noted his concerns remain with traffic and school enrollment.

Mr. Ladouceur commented that he travels Route 44 through that intersection every day without an issue. He added that he drove back and forth by Hunter’s Run four times and there was not a single car coming out. He added that if school enrollment is the biggest issue that senior living communities should be considered because there would be no children. He noted that we can’t have it both ways adding that the parcel discussed on Nod Way will get sold and developed into 140 apartments with 30-40 low income and 150 kids going into the Schools. A senior living facility would service people in the community who may want to sell and downsize. He commented that if the Commission is going to accept lay opinions on school enrollments and traffic from non-experts that is contrary to the information and data received by the experts then there is no sense in considering any applications.

Ms. Keith commented that there has been overcrowding in the Schools right along and right now at Pine Grove there are classes being held in makeshift closets that are not real classrooms; it causes a lot of disruption and distraction for the kids.

Mr. Armstrong commented that maybe in six months the School system will come to grips with what it needs to do (i.e., moving Pre-K and Kindergarten to a different locations).

Mr. Peck addressed the emergency access gate at Avon Mill noting that the developer would be willing to let people from River Mead come onto the Avon Mill property so that they could exit via the traffic light. The developer is willing to rethink the whole traffic issue but River Mead residents did not want to discuss anything. Mr. Peck noted his understanding for concerns with school enrollments but pointed out that Avon Mill would be a three to four-year project and the school projections could be very different by that time. The first two to three years of the project would be renovating the existing buildings.

Ms. Levin commented that she is not interested in Avon Mill at this time.

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

Linda Sadlon

Planning and Community Development