

The Planning and Zoning Commission held a regular hybrid meeting (both virtual GoToMeeting and in person in the Selectman's Chambers) on Tuesday, April 16, 2024. Present were Lisa Levin (in person, sat), Chair, Joseph Gentile (in person, sat), Chet Bukowski (virtual, sat), Robin Baran (in person, sat), Jamie DiPace (in person, sat), Chris White (in person, sat), Alternate Christine Graesser (in person, sat), and Alternate Elaine Primeau (virtual, did not sit). Absent were Peter Mahoney, Vice Chair, and Alternate Randall Bowers. Also present virtually was Hiram Peck, Director of Planning and Community Development.

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

#### **MEETING MINUTES 3/5/24 and 3/12/24**

Ms. Baran asked for a correction to the March 12 minutes (**Page 565...neighbors s/b neighbor**). Mr. Gentile motioned to approve the March 12 minutes, as amended. The motion was seconded by Ms. Graesser receiving approval from Gentile, Graesser, Baran, Bukowski, White, and Levin - DiPace abstained.

#### **DOT Presentation – New Maintenance Facility, 3 Chidsey Road**

Adam Fox, Principal Engineer of Facilities and Design, State DOT, was present and shared information (via PowerPoint presentation) about the new maintenance facility at 3 Chidsey Road – the existing facility is in the same location and was built in 1954. The new facility design is currently under way and construction is expected to begin sometime in the spring of 2025. The existing facility has a small maintenance garage, a salt storage shed, and fueling operations – the existing 10-bay facility does not meet operational needs. The existing buildings will remain – all HVAC will be moved to create a cold-storage building. Salt shed will remain the same – a new fuel island will be installed to accommodate volumes and maintain fleet operations – a diesel exhaust fuel tank will also be installed for emissions. A new 18-bay garage (18K square feet of space) will be constructed on the southern portion of the site – two of the bays will be wash bays. A water main will be installed (for a fire suppression system in the new building)– the site currently utilizes a well. There will be 6K square feet of office and rest areas, which does not currently exist. The new facility will be solar ready and EV charging will be available for fleet vehicles and Staff. He explained that while a schedule for taking material on and off the site (number of trips, etc.) is not yet known he noted that there will be State inspectors on site during the entire construction process to coordinate and handle any concerns. Mr. Fox indicated that while he would be happy to share the State's construction schedule with Town Staff it is not the standard operating practice.

In response to Mr. Peck, Mr. Fox confirmed that the EV charging stations (Level 2) will only be for Department Staff vehicles and visitors during normal business hours. EV charging will not be available for use by the public; the site is gated and locked for security.

#### **INFORMAL DISCUSSION**

##### **Farmington Valley Transition Academy – 124 Simsbury Road, Bldg 12 – Shipman & Goodwin**

Mr. Peck reported that this discussion is being held under Section 7-159b of the CT State Statutes.

Present were Joe Williams, Shipman & Goodwin; Katie Krasula, Simsbury BOE; Scott Hurwitz, Farmington BOE; Jeff Brighenti, owner Riverdale Farms; Emily Barrett, FVTA Director; Noelle Alix, co-owner, Bean & Co;

Attorney Williams explained that the FVTA is a great program operated jointly by the Farmington and Simsbury Boards of Education. This program trains and empowers young people to become successful adults after high school (students are 18-22 years old). This use is consistent and compatible with the existing uses in Riverdale Farms and is consistent with and falls within the permitted uses in the CPB zone.

Ms. Krasula said that the FVTA is a unique program that falls within the categories of professional use and personal services. It's not a traditional school; the students are post high school but do not have a diploma and are working towards independence and success in the community – it includes job training, vocational service, and life skills. She displayed and reviewed a slide presentation – FVTA has been in existence for over 20 years supporting students with an identified vision and mission. We currently have 39 students – the program has included students from around the Farmington Valley and greater Hartford area – there are currently 6 students from Avon. This public program is well known and successful in CT. We have internships across the Farmington Valley and greater Hartford area (e.g., Little City Pizza located in Riverdale Farms). The FVTA gets many shout outs from businesses that we interact and partner with – FVTA has teachers as well as job coaches such that students are always getting job feedback and training – students are expected to be job ready. Students attend FVTA Monday through Friday but most of the days students are going into the community with their job coaches – there are some classroom days where students reflect and learn about daily living, work on resumes, academic skills including people interaction skills (e.g. speaking to a boss).

Avery Dawe said that he is in his second year at FVTA and has learned a lot from an internship at Hartford Hospital – working in the kitchen at CCMC nutritional services. He has also worked at Habitat for Humanity Restore, Fitzgerald Foods, and the Attorney General's office. He drives to school and works part time at Jersey Mikes – his long-term goal is to become a chef.

Caoilfhionn Carr said that she is in her third year at FVTA and has participated in several internships including a 4H Education Center, CCMC, Univ of Hartford library, Habitats for Humanity Restore, and Hartford Hospital nutritional kitchen - she has worked independently at a hospital gift shop. She has attended Tunxis Community College and works part time in the bakery at Fitzgerald's Foods.

Mr. Williams said that there is a good variety of businesses in Riverdale Farms and several have commonality with the FVTA, as they have some type of educational component (e.g., Creative Development LLC, Vista Behavioral Health). It is believed that the FVTA fits within the permitted uses in the CPB zone.

Mr. Gentile said he believes the FVTA conforms to other existing uses on the site.

In response to Mr. Gentile, Ms. Krasula said that currently there are between 36-39 students, typically around 40 students. The tenant space we are hoping to lease at Riverdale Farms is 5,400 SF.

In response to Mr. Gentile, Ms. Barrett said that all students are transported to the school by their district transportation (i.e., all Avon students in one van, etc - Simsbury has two vans – Farmington has one van).

In response to Mr. DiPace, Mr. Williams said that the FVTA would be in the same building as the equestrian center. Ms. Krasula confirmed that the FVTA is an accredited, State Department of Education approved transition program. Mr. DiPace said that there are four educational daycares currently at Riverdale Farms so the FVTA would just be another one – seems like a good idea.

In response to Ms. Graesser, Ms. Barrett said that daily there would be 15 total staff; the FVTA vehicles are off site during the day along with most of the students. Traffic tends to be minimal – specific parking spots for staff has not been requested – staff can park where they find it convenient.

In response to Ms. Baran, Ms. Krasula said that the subject space is larger than the current space - Avon is a good location as it is between Simsbury and Farmington and in the heart of the Valley such that the program can grow.

In response to Ms. Levin, Ms. Krasula confirmed that many of the work opportunities for students could be within walking distance – FVTA has three vans and a minibus for transportation to workplaces not within walking distance - the job coaches all drive.

Ms. Levin asked what hypotheticals the Commission should be concerned about - should the subject proposal be handled via a special permit. The proposed use could possibly fall within other uses similar to permitted uses - the proposed use could be business and personal services but not professional - she noted concerns for the possibility of other businesses that might come in.

Mr. Williams explained that they could bring the application in as a special permit if preferred but noted the question is does this use fit within and consistent/compatible with permitted uses – if it does it should be permitted as a site plan.

The Commission agreed that the proposal is a good fit and should be a permitted use – they also agreed that some research is needed into other existing similar uses at this site to guarantee consistency.

Mr. Peck indicated that he can do some research and compile information pertaining to existing uses on this site.

Mr. Williams noted his understanding that the Commission is comfortable with the proposed use as a permitted use unless research proves a different process was used for a similar situation (e.g., special permit was required for a similar use).

#### Goldfish Swim School – 55 Climax Road - AVC complex

Present were Attorney Robert Meyers and Steve Marszalek, Mosher Dolan.

Mr. Marszalek explained that there are Goldfish Swim Schools in CT (Manchester, Cromwell, Stamford) and in the Boston area for the past 8 years; there are over 168 locations nationwide. The pools are 90+ degrees and a fun environment for kids with progression-based programs - the School is open 7 days a week with 30-minute lessons – a successful School brings in about 1,500 people per week to a location. The School offers family swims several times per week but there are no adult only swim programs. Birthday parties can be held on weekends. The School does not create a lot of noise – it's not disruptive to neighboring properties/tenants.

In response to Mr. DiPace, Mr. Marszalek confirmed that it is not a parent drop off – some programs have parents participate with their kids - some programs have parents watching their kids during their lessons.

In response to Ms. Baran, Mr. Marszalek explained that there are lifeguards on duty at all times when someone is in the water – on average there are 30-50 employees many of which are part time and live locally. Ms. Baran said that hopefully this use would increase foot traffic, as there are many sidewalks in the area.

In response to Ms. Graesser, Mr. Marszalek indicated that they propose to occupy one of the existing buildings on Climax Road (kiddy corner to Whole Foods).

In response to Mr. Levin, Mr. Marszalek explained that swim students can range from 4 months to 12 years old. He noted the School would be in close proximity to a liquor store.

In response to Mr. Gentile, Mr. Marszalek said that Avon and the surrounding towns easily fit their demographics.

Ms. Levin said that we need more information about the lease for Whole Foods – she would like to hear directly from a proposed lessee who is saying that Whole Foods will not allow them in here - the idea that we would have a swimming pool in the Town Center when we don't even have a sit-down restaurant yet – this is not the vision we had to the Town Center.

Mr. Meyers confirmed that he had nothing to do with the lease for Whole Foods and has not read it but knows there are severe restrictions in it and there are differing opinions between the developer and Whole Foods as to how some of those should be interpreted. He cannot make Whole Foods or any prospective tenant come before the Commission – he has no authority.

Mr. Marszalek explained that recreational community pools are not well suited for what we do on a regular basis. The proposed facility is about 7,500 SF – footprints can range from 8000-9000 square feet- the pools are only 4 feet deep but do have lanes– we don't teach diving lessons – the goal is to be involved in the community and we sponsor a lot of programs.

Ms. Baran said that this sounds like a niche for young children that doesn't exist in other swim places in this area.

Mr. Marszalek said that Goldfish Swim is about safety and building confidence in children around pools.

In response to Ms. Levin, Mr. Peck said that he is happy to invite the developer to come to a meeting to discuss potential tenants – he confirmed that he doesn't know what their response will be. The question for tonight is how does the proposed use fit into the overall plan for Avon Center. Ms. Levin said she wants to see Whole Foods too.

Mr. DiPace said he can accept the swim school but said he would rather see a nice steak restaurant.

Mr. Gentile said this is not what we envisioned for the Village Center and he's having a tough time with it. The subject concept is great but he doesn't know about it being in this location.

Ms. Baran likes the concept and the positives it would bring but frustrated with the lack of transparency by the developer regarding other potential tenants.

Ms. Levin said if we had two restaurants and then the swim school came in I could understand it but there's nothing here that any of us envisioned – she agreed there are many positives to the swim school.

Mr. Bukowski asked what leverage we have over the developer in connection with any tenants – legally what do we have to be able to say yes or no to the swim school.

Mr. Meyers said that allowing the swim school would not prevent restaurants and other desired uses in the future – there is plenty of space left.

Ms. Graesser said that Blue Back Square is also struggling adding that she doesn't think it's because of restrictive covenants – there must be things going on in Avon that we don't know about. The Goldfish School seems like a family friendly high traffic business that could possibly bring vibrancy to the Town Center.

Mr. White said that he wasn't on the Commission when Avon Center was approved but noted that he would find it difficult to say no to the Goldfish School as the project area has many vacancies.

In response to Mr. Gentile, Mr. Peck explained that that is really the question before us tonight – is the Goldfish School a permitted use in this zone (Avon Village Center) – this use is very different than the original concept and that is why it is before you tonight.

In response to Ms. Levin, Mr. Peck said that he could put together some documentation (original concepts for the AVC zone) for the Goldfish School for the Commission.

#### **OTHER BUSINESS**

##### 8-24 Referral - CIP FY 2024-2025 – request approval

Mr. Peck reported that the CIP FY 2024/2025 meets the requirements of 8-24 and recommended approval.

Ms. Baran motioned to approve the CIP FY 2024-2025, as presented, finding it to be in compliance with and not in conflict with the adopted 2016 Avon Plan of Conservation and Development. The motion seconded by Mr. Gentile received unanimous approval (Baran, Gentile, DiPace, White, Graesser, Bukowski, Levin).

##### Affordable Housing Task Force Update

Mr. Peck reported that the Town Council appointed seven members to the Affordable Housing Task Force – a meeting will be scheduled in the near future.

#### **STAFF UPDATES**

##### 24 Ridgewood Road – Equipment Shelter Swap/Upgrade

Mr. Peck reported that this site is a location for the water company's water tank – there will be an exchange of the existing equipment shelter for a new equipment shelter, which has its own generator. This is an integral part of the emergency communication system that we have been working on for several years.

##### 182 West Main Street

Mr. Peck reported that the property is now being cleared and prepared for the construction of the two approved buildings (one bank building and one building with three small tenant spaces).

##### 275 West Main Street

Mr. Peck reported that a conservation easement and a map have been forwarded to the Town Attorney for review – we should have some information in the next week. Demo of the existing buildings should begin very soon but no building permits can be issued until final approval is received from the State DOT.

The meeting adjourned at 9:15pm

Avon Planning and Community Development.