

The Planning and Zoning Commission of the Town of Avon held a regular, *hybrid* meeting (in person - Selectman's Chambers *AND* virtual GoToMeeting) on Tuesday, January 30, 2024. Present were Lisa Levin (in person – sat) Chair, Peter Mahoney (virtually - sat), Vice Chair, Joseph Gentile (in person – sat), Robin Baran (in person - sat), Chet Bukowski (virtually – sat), Jamie DiPace (in person - sat), Christopher White (in person – sat) and Alternates Elaine Primeau (virtually – did not sit), Christine Graesser (in person – did not sit), and Randall Bowers (virtually - did not sit). Also present was Hiram Peck (virtually), Director of Planning and Community Development.

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

Minutes Discussion – FOIA

Ms. Levin addressed a document entitled “FAQs Meeting Minutes of Public Agencies January 2024” – this document was distributed to all boards and commissions in Town.

MEETING MINUTES January 9, 2024

Ms. Levin asked for a correction to the January 9 minutes. (Page 540 - “Ms. Levin said that due to recent changes on the Commission (new members and existing member reappointments) and the requirement for all members to be sworn in, we don’t have a quorum **Correction requested by Ms. Levin as follows: “all eligible members who were seated for all the hearings were present”** tonight of the members who were present for all the hearings and are eligible to vote so she recommended a vote take place at the January 30 meeting. **Correction requested by Ms. Levin as follows: “the minutes should reflect that it was an intentional decision by the Commission - while we had a quorum, we chose to table the matter until we had an odd number of members present – 5 instead of 4 – to avoid having a tie”.**) Mr. Mahoney motioned to approve the January 9 minutes, as amended; the motion was seconded by Mr. Gentile and received unanimous approval

PUBLIC HEARING

App. #5023 - Atlas Construction Services, owner/applicant, request for Special Exception under Section VI.C.3.b. of Avon Zoning Regulations to permit Class III restaurant, 275 and 279 West Main Street, Parcels 4540275 and 4540279, in a CR Zone

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

NEW APPLICATION

App. #5022 - Atlas Construction Services, owner/applicant, request for Site Plan Approval to permit demolition of existing buildings and construction of one new building and two pads, 275 and 279 West Main Street, Parcels 4540275 and 4540279, in a CR zone

Present in person were Michael Ott, PE/LS, Summer Hill Civil Engineers and Atty Bob Meyers, on behalf of the owner. Present virtually were Dave Sullivan, traffic engineer, SLR; Rick Staub and Mark Davis, architects, Point One Architects; Abigail Adams, LA, A2 Land Consulting; and Eric Davison, wetlands scientist, Davison Environmental LLC.

Attorney Meyers asked that everything presented tonight be considered for both Applications 5022 and 5023. He noted that a wetlands approval has been received for the subject applications. The applicant is willing to comply with all comments received from Town Staff. Signage will not be discussed tonight – any requests for wall signage will be reviewed and approved by Town Staff - if a detached sign is requested an

application for special permit will be submitted at a future date. If a sidewalk is requested it would have to be located in the State ROW and thus be controlled by the State. There are topo challenges and a brook at the edge of the subject site.

In response to Ms. Levin, Attorney Meyers explained that there are three classes of restaurants in Avon and are based on size and seating capacity but noted that he doesn't have that information available right now. Ms. Levin said she has the information here – Class III restaurants are greater than 2000 SF and greater than 50 seats – she said she just wants the members to be aware of the Regulations and why we are having a public hearing for this application.

Michael Ott displayed maps noting that the subject site is about 9.8 acres in size and located on the south side of Route 44. There is an existing unoccupied building (former restaurant) in the front of the site as well as an existing unoccupied, single-family home and a detached garage to the rear of the site – all three buildings are proposed to be removed. The site is served by municipal sanitary sewers, power, communications, and telephone all within the State road – Route 44/West Main Street. The site is not currently served by public water but the proposal is to extend public water to the site and contact has been made with CT Water Co. who has indicated that they can service the site (public water will provide for both fire protection and drinking water). The site is located in the Nod Brook drainage basin; surface water drains in both east and west directions. The proposal is to demolish all the aforementioned buildings and redevelop the site; all existing pavement will be removed. The two existing curb cuts on Route 44 will remain in same location but be modified. A new building (Shake Shack – approx. 3,200 SF) will be constructed in the east front corner. The other two proposed buildings are shown as pad sites only but are shown with driveways and parking - there is no tenant information available at this time for those two buildings (westerly pad site just under 4,000 SF and rear pad site 2,400 SF). The site development plan is laid out to provide access, parking, and utilities/storm drainage to all three buildings.

In response to Mr. DiPace, Mr. Ott confirmed that he has spoken to the Fire Chief who has asked that the location of fire hydrants be shown on the plans – he confirmed that all requirements of the Fire Chief and CT Water Co. will be provided and shown on the plans. Mr. DiPace said that it is tough to exit the site turning left due to the grade. Mr. Ott said that the site will be regraded and flattened to a 1% grade.

In response to Ms. Levin, Mr. Ott explained that grading doesn't really help with turning movements other than vehicles would be sitting flatter as they await exiting the site.

Mr. Gentile said that making a left hand turn, either entering the site or leaving the site, has always been an issue due to the grade in that area. The proposal is now for about 10K SF of development and most commercial plazas have traffic lights and/or have two egresses to make it easier. Is the application to the State DOT for one restaurant or three.

Ms. Levin said that the subject applications are for permission for only the Shake Shack. How will the DOT evaluate the traffic if the uses for pads 1 and 2 are unknown.

Mr. Ott explained that a traffic impact study was done for the site which will be presented by Dave Sullivan.

Mr. Sullivan addressed the traffic study (*Traffic Study – Proposed Commercial Development 275-279 West Main, dated January 10, 2024, by SLR*) explaining that some uses were assumed for pad sites 1 and 2 – uses that are allowed with the CR zone. A restaurant use was assumed for the larger pad site and a retail use for the smaller pad site. Traffic counts were done at both signalized intersections located on either side of the subject site (Walmart and Nod Brook Mall). Traffic counts were done on a weekday afternoon and on a

Saturday midday – analysis was based on trip generation for fast food restaurant, casual sit down restaurant, and general retail. Both aforementioned signalized intersections would essentially maintain status quo and not be impacted by the additional traffic from the subject proposal. The left turn out of the site is the most difficult but eliminating that option is not feasible as it would add extra trips to the network (turning right out of the site and then having to turn around somewhere). The recommendation is to leave the westerly driveway as full access - allow all turns in and out – an additional recommendation is to make the easterly driveway a right turn out only. The grade leading up to the intersection is less than 3% which is quite good. The proposal to flatten the subject driveway will improve operational characteristics of the left turn. There are obstacles to constructing a sidewalk in this location such as crossing Nod Brook wetlands - our suggestion is that if any of the land on the subject site is needed for that crossing that the owner allow it. There should be a sidewalk included in the long-term plan. An encroachment permit is needed and the final decision is up to the State DOT.

In response to Ms. Levin, Mr. Meyers clarified that the Site Plan application covers all three building pads including Shake Shack; the Special Exception application is only for the Shake Shack Class III restaurant. The future use(s)/tenants of the two other pads will have to conform to the CR Zone or come back before the Commission for approval. The current proposal is to demolish the existing house.

Mr. Gentile said the proposed Shake Shack building doesn't look much like other buildings that have been approved over the last 25 years.

Mr. Meyers noted that Mr. Peck's comments make note of the possibility of modifying the roofline to a more New England look. A condition to work with Mr. Peck on the appearance of the building is expected, should an approval be granted.

Ms. Baran said that because it's possible that Shake Shack could become a new hangout for high school drivers she asked that left turns out of the site be made as safe as possible.

Mr. Meyers noted that the State DOT has the final say regarding traffic but noted that Town Staff can have input with the DOT.

In response to Ms. Levin, Mr. Peck explained, relative to traffic and access, that the Town cannot issue a building permit until the State DOT has issued their final approval. The locations of the driveways will remain essentially as they exist today but with slight grade changes. If the Commission has comments and/or questions related to architecture that information should be expressed tonight for the applicant.

The hearing for App #5023 was opened for public comment.

Christine Graesser, Lawrence Avenue, said that one of the plants included in the landscape plan is included on the CT Invasive Plant List.

Mr. Meyers said that a condition of approval, if granted, could ask for modification of the planting plan.

There were no further comments.

Ms. Levin said that she would like to continue the public hearing to the next meeting to allow the Commission time to obtain and read the traffic report.

Mr. DiPace said since the DOT must approve the traffic/entrance/exit plan why do we need to delay approving the restaurant – no building permit can be obtained without DOT approval.

Ms. Levin said she wants the Commission to see the traffic report before the hearing is closed and a decision is made – there may be questions/comments by the Commission and/or the public.

Jim McGarrah, Sylvan Street, said the public can't make any comments about the traffic study because the Commission hasn't seen it yet and therefore cannot discuss it. This process seems out of order.

Mr. White motioned to continue the public hearing for App #5023 to the next meeting. The motion was seconded by Mr. Gentile and received approval from Messrs. White, Gentile, Mahoney, and DiPace, and Mesdames Baran and Levin.

Mr. White motioned to table App #5022 to the next meeting. The motion was seconded by Mr. Gentile and received approval from Messrs. White, Gentile, Mahoney, and DiPace, and Mesdames Baran and Levin.

The public hearing portion of the meeting was closed.

PLANNING AND ZONING COMMISSION MEETING OUTSTANDING APPLICATION

App. #5019 - Forty One Sandscreen, LLC, owner/applicant, request for Special Exception under Section III.H. of Avon Zoning Regulations to permit earth removal to regrade and add retaining walls and fencing, 41 Sandscreen Road, Parcel 3820041, in an I Zone

Present were Jeremy Vearil, owner, and Attorney Bill Case.

Mr. Peck reported that a revised Staff Comment memo was provided to the Commission with recommendations should an approval be considered. There are alternatives that the Commission may want to consider. The applicant proposed screening at the rear of the excavation area on top of the retaining wall, in addition to the fence proposed previously. His recommendation is the fence could be made 8 feet rather than 6 feet to provide additional screening for the abutting residential owners. In addition, prior to the close of the public hearing, the applicant also provided vegetative screen on the top side of the excavation area in the Eversource easement – at least 40 evergreen trees. An alternative screening plan proposed by Mr. Peck was provided to the Commission on a colored map along with a list of the types of screening (6-7 different plants) that could fulfill the purpose – most are very rapid growing and nice. This alternative screening would enhance the screening between the residences and the fence. He clarified that not every plant listed needs to be used as not every species will be available. Cypress grows 2-5 feet per year to reach 70 feet which is almost as tall as many of the existing oaks on the site, which provide no screening at all. The alternative screening plan could be made a condition if an approval is considered - material removal could be permitted for a maximum of two years – the applicant would return to the Commission every six months with a progress report – applicant would have to comply with all Erosion & Sedimentation control regulations. The Town Engineer would determine the bond amount for E & S controls but the Commission could require a landscape bond as the application is a special permit.

In response to Mesdames Baran and Levin, Mr. Peck confirmed that there are five abutting residential property owners. He further noted his recommendation that the proposed fence be 8 feet in all sections.

In response to Ms. Levin, Mr. Peck explained that the distance from the residential property line to the top of the wall is 50 feet. The distance to the evergreen screening, which is slightly into the Eversource easement, is another four or five feet to the berm they are planted on top of – the berm is about two feet tall. A photo of

what the site will look like upon completion was provided to the Commission early on and is in the file – concrete block walls with concrete piers that stick out that contain mulch or stone or other materials. Ms. Levin asked if we have any photos of what the site looks like currently – what the elevation looks like and what the woods look like in the back. Mr. Peck confirmed that all those things (vegetation, grades) are shown on the plans that have been submitted – he said he doesn't know if there's a photo as there is really no requirement for photos. Approximately 9,600 SF of property area will be leveled – all trees within the 9,600 SF area would be removed and replaced with the fence and screening at the top of the wall. All the natural features (trees) within the 9,600 SF area will be removed because that is the area to be excavated and material removed.

In response to Ms. Levin, Mr. Peck confirmed that the Commission can require a bond for landscaping, fencing, and erosion and sedimentation control.

In response to Mr. Bukowski, Mr. Peck confirmed that Section 8-3 (g) (1) of the CT General Statutes (Chapter 124) relates to bonding and what the Commission is allowed to ask for.

Mr. Mahoney said that he is ok with Mr. Peck's memo and the updates noted. The Commission has covered all the bases with this application and it's time to move forward. The proposal will result in a better site condition than currently exists and the neighbors will benefit from the proposed screening; the best compromise has been reached.

Ms. Baran said that the Commission's job is to make sure that all applications adhere to the Regulations. Section III.H. earth removal says the purpose is to preserve the natural features of the landscape – Section VIII H. says environmental protection and conservation that the proposed plans have provided for conservation of the natural features, protection of the environment of the area, preserve conserve and protect – we are talking about 7,150 CY (9,600 SF). I have made multiple visits to the site and slowly driven along Sylan Road to see what the 5 abutting owners will see. Looking at Google Earth shows how large this land area is (9,600 SF) - I counted over 100 trees from the road. There is no environmental impact study to gain any info about the existing berm that is taller than myself with over 100 trees on it and what that will do when that root system is permanently and irreversibly removed - this seems to be a very large proposal with irreversible change to the land for a modest gain of six storage bins. I cant see how this application meets the special exception requirements – there is one criterion on both parts that is not being fulfilled (**Clarification requested by Ms. Baran as follows...i.e. "It is the purpose of this section to preserve the natural features of the landscape" as stated in III.H.1; and "That the proposed plans have provided for the conservation of natural features" and "the protection of the environment of the area" as stated in VIII.H.)** – but some of the other **critera** are. (i.e. "... **keep the land suitable for appropriate future uses, prevent the occurrence of nuisances from earth removal operations which will affect the value and enjoyment of neighboring properties, and control earth removal operations in order to protect the public health and safety" as stated in III.H.1; and "... drainage basins, ... and sustained maintenance of the development" as stated in VIII.H.)**

Mr. Gentile said there are a number of retaining walls on commercial sites throughout the Town and I'm sure earth was removed from the site for them to be constructed. It's not being destroyed it's being relocated. Cutting down trees is unfortunate but I don't believe that we have authority to deny it regardless of whether the retaining wall is put in. We're talking about an environment within the industrial zone. I find that the Regulations refer to destroying natural beauty and things of that nature – I understand why they're there but Im not sure they pertain to this application. I don't find the removal of earth to be a nuisance to adjoining neighborhoods because it's only temporary in time and the applicant has said that everything will be done to minimize the impacts. I disagree with Ms. Baran in that I don't feel that it's an unreasonable request to approve this application. I understand the neighbors' concerns about buffers – I think the applicant has gone out of his way to improve the buffers based on the trees and the potential for screening for sight and sound. I understand that this

industrial site was there way before the development was there. I don't know why there wasn't any buffers put on the residential part. I'm kind of torn on what to do but I don't think it flies in the face of regulatory objective.

Mr. Bukowski said he kind of agrees with Messrs. Mahoney and Gentile and kind of disagrees with Ms. Baran. I think if you read the Regulations very strictly nobody could do anything on their property. Here the owner certainly has a right to develop his business on his own property and I also understand that the abutting landowners are concerned about the effect it might have. The qualifications and conditions contained in Mr. Peck's Staff memo represent a pretty fair compromise between the landowner's ability to develop the property and the abutting owners' concerns of increased visual and noise impact.

Ms. Levin said she is troubled about eviscerating 9,600 SF and eliminating hundreds of trees and replacing them with 40 trees that will take 5-10 years to provide the kind of protection that I know the applicant wants to provide. I think there were ways to design this expansion to accommodate a more efficient operation for the applicant without having to – to be able to preserve some of the natural features on that property. I think it is really going to change the aesthetics which is something the Regulations talk about in terms of in the special exception. I think this application does not satisfy Section III H. – it is not preserving the natural features of the landscape – it is not a suitable location for the proposed excavation - Section VIII A. We know there is going to be more intense use of this site and it's not going to be in harmony with adjoining landowners. It also doesn't satisfy Section VIII. C – neighborhood compatibility. The excavation of ~~700~~ ***7,000** (**Revision requested by Ms. Levin*) CY is going to absolutely alter the essential characteristics of that area – it's going to level it permanently. It also doesn't satisfy Section H – environmental protection and conservation. The proposed plans are not looking to conserve any of the natural features. We are clear cutting an area so that we can replant. Lastly, the 1971 zoning minutes stated that the trees separating the industrial zone from the residential zone would be untouched and that the bank would also not be touched – that was in connection with a variance presented to the ZBA in 1971 that was referenced in the 1985 minutes that are in the record. The 1985 minutes dealt with a variance that was ultimately withdrawn but as part of that hearing the Board discussed the fact that they had these stipulations from 1971. We have an earth removal regulation – we have multiple criteria under the special exception and we have presumably deed restrictions that are imposed on that property not to touch that bank and not to touch at least all of those trees. I am not comfortable authorizing this kind of earth removal.

Mr. Mahoney asked if there are active deed restrictions on what can be done there.

Ms. Levin said we have the minutes in our record – this matter was closed – we have minutes from 1985 that were submitted by citizens. If there were stipulations put into effect by a ZBA decision in 1971 then my understanding is they should have been recorded on the deed and they run with the property.

Mr. Mahoney said that I would think that action would have had to be finalized – it wasn't finalized so there was never any deed restrictions.

Ms. Levin said the 1971 variance was finalized – the 1985 matter before ZBA was not – the variance was withdrawn but in the course of those minutes they referenced this official action that took place in 1971. I did not do a deed search.

Mr. Mahoney said that he doesn't know if it's a fair comparison – the current proposal is not the same as what was proposed previously – a lot of work has gone into the current proposal to meet in the middle.

Ms. Levin said she disagrees – she knows there's been an effort to meet in the middle but doesn't know if we are meeting in the middle. She wanted the public hearing to remain open to hear from residents and others with firsthand knowledge. The idea of leveling the property when you already have a challenging situation – an

industrial zone abutting a residential zone. There's been issues with noise and sightlines and now we're just making the situation even more difficult – the solution is to plant 40 trees? She appreciates all the conditions in the Staff memo but feels there is a better way – more environmentally conservation oriented - to allow some bins but not take out so much of the elevation which is what separates these two zones that are opposed.

Mr. Mahoney noted his understanding pointing out what has been noted previously that we are dealing with a problem that was created in the past and not handled correctly in the past. A lot of what has been discussed is looking at it from the residential side – we have an industrial zone here also – an industrial zone is incompatible with just about everything stated by Ms. Baran. We have an industrial zone that we have to respect also. I respect the homeowners but we have a landowner here too located in the industrial zone – we have to deal with the historic industrial zone. Efforts have been made to deal with the sins of the past – the current proposal has to be considered.

Ms. Baran said she respects all opinions of the other Commissioners – she repeated Ms. Levin's sentiment to the applicant, the public, and the Staff for providing all the information. I understand everything that is being said and I see both sides but the reality is the existing berm that is taller than me with over 100 trees on it and we're proposing to remove it forever while proposing to build a 2 ½ foot berm with 40 trees on it which is not the same as the naturally occurring piece of land that now exists. We are not providing for the conservation of that natural feature – we are not protecting the environment – we are not preserving the natural feature of the landscape. Nothing can sway me from the interpretation of the regulations.

Ms. Levin said she has struggled with this application – spent a lot of time at the site and going over the record. She noted her appreciation/respect for Mr. Mahoney's comments but said that we are making the situation worse by approving it.

Mr. Gentile motioned to approve App #5019 subject to the following conditions/recommendations, as contained in Staff Comments dated 1/25/24, as modified/revised:

The submitted plan shows a minimum of 40, six-foot evergreens between the property line and the new fence along the top of the proposed retaining wall. However, the applicant may continue to discuss the evergreen screening with the 5 single-family residential abutting owners and the Old Farms Crossing owner in the following manner:

- a. The fence and wall between the Old Farms Crossing property and 41 Sandscreen property shall be constructed in the location as agreed upon and as shown on the submitted plans. The applicant shall construct a stockade-type fence and block retaining wall, as shown on the submitted plans based on the agreement and approval received from the owner of the property at Old Farms Crossing. The plans show a fence a minimum of 6 feet in height. However, the Commission requires an 8 foot high fence. The plans need to be adjusted prior to a building permit for a fence up to 8 feet in height to be approved by the Avon Building Official.
- b. Based upon the approval granted to the applicant by Eversource, the applicant is hereby allowed to install the privacy fence just slightly to the rear of the proposed retaining wall. In order to increase screening effect, this fence is to be 8 feet in height.
- c. The submitted plan shows 40, six-foot evergreens along the rear of the privacy fence. However, the applicant may continue to discuss the relocation of some of these 40 required evergreens to the rear yard of the 5 residential properties on Sylvan Street. Regardless of the outcome of these discussions, the maximum number of 6 foot evergreen tree plantings shall remain at 40. Any discussions with the owners of any of the 5 abutting single-family residential properties shall be concluded and finalized by

July 2024 (planting season) so that screening may be timely installed during the first available planting season.

- d. The Commission notes the approval granted by Eversource for the planting and fence installation, as shown on the submitted plan, complies with existing site development requirements in Section III. H. 3. of the Avon Zoning Regulations.

The Commission chose the ALTERNATIVE PLANTING/SCREENING PLAN, as shown on the enclosed alternative plantings and sketch plan.

Regulation requirements:

2. The removal of the earth material shall be done only on Monday through Friday from 7am to 5 pm. No weekend or holiday excavation is permitted. It must be noted that the existing industrial operation is currently typically conducted from 7 am to 5 pm Monday through Friday with some Saturday work. Weather-dependent work may be required on Sundays and after hours depending on the nature of the weather, storm or emergency. This is not affected by the approval of this excavation.
3. The applicant shall provide a progress report to the Planning Director and PZC every 6 months with regard to progress on the excavation and site work as approved.
4. The applicant shall comply with all erosion and sedimentation control requirements as outlined in Section III. I. at all times during the excavation and until the site is stabilized.
5. This permit is granted for a maximum of two (2) years from the date of final approval in accordance with regulations. If the excavation is taking longer than this 2-year period, the applicant is responsible to seek an extension of this time period from the Commission prior to the expiration of the initial 2 year period or a reapplication will be required. The Commission may grant an extension of this initial 2 year period, if approval requirements are being met.
6. This approval and conditions shall be reviewed by the Town Engineer to determine an appropriate bond amount in accordance with Section III. H.2.d. to include E & S controls, fencing, and landscaping. A list of possible, additional/alternative landscaping plantings and plan is enclosed. ~~Any required bond~~ ***The required bond (*Revision requested by Ms. Levin)** shall be submitted prior to the onset of any earth removal activity on the site and shall remain in place until the bonded activity is completed. Such bond may be periodically reduced as work is completed.
7. A landscaping bond will be required to be posted if the approved landscaping plan is not completed by August 1, 2024.

The motion was seconded by Mr. Mahoney receiving approval from Messrs. Gentile, Mahoney, and Bukowski. Voting in opposition of approval were Mesdames Baran and Levin. The motion passed 3/2.

OTHER BUSINESS

Housing Task Force

Mr. Peck reported that the Town Council at the upcoming meeting is going to take up and hopefully adopt the resolution to create the affordable housing task force; the appointment of members may also take place.

Ms. Levin said that hopefully the task force is created and up and running by the spring.

In response to Mr. Mahoney, Ms. Levin said that the members of the task force will be handled through the Town's political committees.

Alternate Seating Policy

Mr. Peck explained that this topic is covered in the Commission's Administrative Policies, amended a couple of years ago. An alternate who will sit for an absent regular member would be chosen by the Chair. This has typically been handled by Staff – once it is known that a member is going to be absent from a meeting the Staff contacts an Alternate from the same political party to see if they are available to sit. It's never been an issue to date.

Ms. Levin said she's never been clear on how this rotation works. Policy #3 states that there's a list that's maintained – it doesn't say Staff but Staff is the one who identifies who's next up on that list. After some research and in talking with others and in fairness to the minority party particularly that we should write into our regulations we should formalize the keeping of two separate lists – one by party – if we have an unaffiliated member they would be on the list of the party who nominated them – and then it will be clear there are two lists and that whoever is stating that they cannot make a meeting the alternate will be selected from that party's list. Staff shall establish two lists identifying the members of the panel of alternates by party affiliation – unaffiliated members if any shall be placed on the list of the party which nominated them for appointment to the panel. Within each such list the members will be ranked by seniority according to the date of their first appointment to the panel – members of equal seniority shall be ranked alphabetically by surname. All this is doing is clarifying what the policy is – I know there were times when I was absent and an alternate from the other party was selected and I just think we want to make it clear and I really did this honestly out of fairness to the minority party – you have one alternate and we have two (democrats). It is my suggestion to clarify this in the administrative policy. I'm looking for guidance to Hiram to draft this so that we can vote on it at our next meeting. Please let me and the Staff know asap if you are unable to attend a meeting.

Mr. Gentile said he's happy to say that there's only once instance in the six years I've been on the Commission that we voted along party lines – and usually it's not an issue but I hear what you're saying and I'm in agreement.

Ms. Baran said she thinks it's great also since we're doing hybrid and not in person fully – so if someone does have technical difficulties and can't log back in and we at the last minute have to pull an alternate on physically in person or from online this provides a backup clarification on how to do it.

Mr. Bukowski said sounds like a plan to me.

****Commission directed Staff to prepare revised alternate policy (*Revision requested by Ms. Levin)***

Training Sessions – Town Attorney

Mr. Peck reported that the legislature is making changes that frequently affect Commissions. He has spoken with the Town Attorney regarding training sessions – there would be two sessions. One session would be setup with the Town Council such that all other Commissions/Boards could join and listen, which is recommended. The second session will be set up specifically for land use commissions – this session will hopefully be decided and set up for some time in late February or early March – these meetings will likely be virtual for everyone's convenience. These training sessions will count toward training requirements for Commissioners and Staff will let everyone know as more training opportunities arise.

STAFF UPDATES

Mr. Peck reported that there will hopefully be an update on Avon Village Center for the next meeting.