

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 9, 2024. Present were Peter Mahoney (virtually - sat), Chair, Lisa Levin (in person - sat), Vice Chair, Joseph Gentile (in person – did not sit), 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 (in person - sat). Also present was Hiram Peck (virtually), Director of Planning and Community Development.

Mr. Mahoney called the meeting to order at 7pm.

## **PLANNING AND ZONING COMMISSION MEETING**

### **ELECTION OF OFFICERS**

Mr. Mahoney nominated Lisa Levin for Chair; the nomination was seconded by Mr. Bukowski receiving approval from Messrs. Mahoney, Bukowski, DiPace, White, and Mesdames Baran and Levin.

Ms. Levin nominated Peter Mahoney for Vice Chair; the nomination was seconded by Ms. Baran.

Mr. DiPace asked what the rank is (time and grade) for the members present tonight, adding he wants to understand that.

Mr. Mahoney said that he is the senior member adding that he's been on the Commission for 10 or 12 years.

Ms. Levin said Joe is maybe the next senior member and she has been on the Commission for 6 years going on 7 years.

Mr. DiPace said that Mr. Mahoney has done a great job and asked if it's time to break somebody else in.

Mr. Mahoney said that we've worked as Chair and Vice Chair for the last two years and have switched positions for meetings here and there. It's just a better way to work when two people are in the loop and this was the agreement when we got started.

Mr. DiPace said ok - it's always nice to plan and train your replacement.

Ms. Levin said I get what you're saying and this was planned if that's what you're...yeh.

Mr. DiPace noted his understanding.

The nomination for Mr. Mahoney as Vice Chair received approval from Mesdames Levin and Baran and Messrs. Mahoney, Bukowski, DiPace, and White.

Ms. Levin welcomed new members Christopher White and Jamie DiPace and Alternates Christine Graesser and Randall Bowers. She thanked Mrs. Primeau for her continued service and also thanked Mrs. Harrop for her lengthy service, noting that her term has expired and she is no longer a member.

### **MEETING MINUTES** December 12, 2023

Ms. Levin asked for a correction to the December 12 minutes. (Top of page 525 - "In response to Ms. Levin, Mr. Peck confirmed that the current business and the expected future/expanded business on this

site is a permitted use in the industrial zone;" ~~there is no need for a special exception application. Earth removal is the only item for consideration tonight.~~ **Correction requested as follows:** "Ms. Levin said tonight's application involves a special exception application for earth removal only under Section III Subsection H.2.b. This is a special exception but it's regarding earth removal only."). There were no further corrections; the minutes were approved as amended.

### **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

App #5019 was tabled from December 12.

Present were Jeremy Vearil, owner and Atty Bill Case, on behalf of the owner.

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. Peck indicated that a list of the people who could be seated for this vote are Mr. Mahoney, Ms. Levin, Ms. Baran, Mr. Bukowski, and possibly Mr. DiPace (depending on his attendance/seating at the hearings). He indicated that we only need four members (quorum) to vote. He explained that a vote must take place within 65 days of the close of the hearing, which was on December 12. (\*\*NOTE Mr. Peck had indicated that the February meeting was on the 15<sup>th</sup> but it is scheduled for the 20<sup>th</sup>).

Ms. Levin said that Mr. DiPace was not present at the October meeting and was not seated at the December meeting; I don't feel we have any options and so the vote must take place on January 30.

Ms. Baran said that she doesn't feel it would be fair to the applicant to have someone voting that hasn't heard all the information.

Mr. Bukowski said that he has all the information and feels comfortable so it's up to Ms. Levin whatever she wants to do.

After some discussion the Commission decided that it is best to wait until January 30 to vote because there will be more members available and present to contribute to the discussion before taking a vote.

Ms. Levin said that because the public hearing for App #5019 is closed any further information to come to the Commission would come through Mr. Peck/Town Staff and as such it is best to hold off on any formal discussion until January 30 when all members who will be voting are present.

Mr. Bukowski motioned to table App #5019 to the January 30 meeting. The motion, seconded by Mr. Mahoney, received approval from Messrs. Bukowski, Mahoney, DiPace, White, and Bowers and Mesdames Levin and Baran.

**OTHER BUSINESS**Housing Task Force – pending Town Council action

Mr. Peck reported that the resolution to form the Task Force needs approval from the Town Council; the resolution will be before the Council at their next meeting. Also needed to go before the Council is the list of recommended members of the Task Force, which will be appointed by the Council. The Task Force, in accordance with the Affordable Housing Plan, calls for three members from the Commission and two members from the public. He said he will coordinate with the Chair and Vice Chair to get member names for the Task Force to pass along to the Council. In response to Ms. Levin, he explained that in 2022 the State passed legislation that required every town in the State to have an affordable housing plan. Avon adopted a Plan in June 2022. One of the Plan recommendations is that a housing Task Force be created to look at the various aspects of the Plan and the various aspects of affordable housing as it exists in Avon as well as the things that are helping or not helping and to move forward the concept of affordable housing. The Task Force will look at these issues and make suggestions back to the Commission as to ideas that might be investigated. Some of the ideas/suggestions may be things for the Commission to address but some may need to be addressed by other Boards/Commissions and/or Town Departments. He explained that there could be people from the Regional Planning Commission and/or the State Department of Housing that talk with the Task Force; there are many ways for the Task Force to gain input. The Task Force may meet quarterly depending upon the amount of work; Town Staff will process the information received from the Task Force as quickly as possible.

In response to Mr. DiPace, Ms. Levin said there is a definition of affordable housing by State Statute. It's tied to your median income and whether or not it's 60% or 80% of the area median income for Avon. If you fall below that threshold then you can be offered an apartment if the developer allows for affordable housing; then you would qualify for rent below the market rate as set by the developer. She said that our Affordable Housing Plan is online and explains it – it's not a straightforward concept.

Mr. DiPace said that he has a lot of questions on how this all works because it doesn't seem to add up to me - what are we trying to prove and what are we trying to accomplish with that.

Mr. Mahoney said there will be lots of education on affordable housing in the future.

In response to Mr. Mahoney, Mr. Peck confirmed that each member is required (per § 8-39a) to have a certain amount of training on an annual basis. He said that more detailed information on this will be discussed at a future meeting.

In response to Mr. DiPace, Ms. Levin said that the goal for a community in part is to get enough of their units qualifying as affordable and then you can get out from the 8-30g.

Ms. Levin said she thinks it would be helpful to have some onboarding sessions for new members and maybe we could do something with the Town Attorney.

In response to Ms. Levin, Mr. Peck explained that currently there is no auditing process in place for education credits but noted that he wouldn't be surprised if the legislature passes something this year to that effect.

In response to Mr. Bukowski, Mr. Peck confirmed that he knows of other many Towns that have implemented an affordable housing Task Force that we could look at for reference.

**STAFF UPDATES**

Mr. Peck noted that while he continues to talk with the developer weekly regarding moving forward with both residential and commercial development in Avon Village Center he has nothing to report.

Ms. Levin said the developer's monthly status reports on leasing seem to have fallen off.

Mr. Peck indicated that the developer has asked for an application for some directional signage and may be present at the next meeting to speak with the Commission. He said he would ask that a status report be available at that meeting.

There being no further business the meeting adjourned at 7:45pm.

Linda Sadlon  
Avon Planning and Community Development