

**AVON TOWN COUNCIL
MEETING MINUTES
JANUARY 6, 2005**

I. CALL TO ORDER

A meeting of the Town Council was called to order at 7:30 p.m. in the Selectmen's Chambers by Chairman Hines. Members attending Mrs. Hornaday, Messrs Carlson, Shea and Woodford.

II. PUBLIC HEARING:

04/05/45 Adoption: Ordinance #72: Establishment of an Aquifer Protection Agency

The Town Clerk read the call of the Public Hearing as follows:

"LEGAL NOTICE
TOWN OF AVON

Notice is hereby given that the Avon Town Council will hold a Public Hearing on Thursday, January 6, 2005 at 7:30 p.m. at the Avon Town Hall, Selectmen's Chamber, 60 West Main Street, for the following purpose:

1. To consider adoption of a new Ordinance #72 – ORDINANCE ESTABLISHING AN AQUIFER PROTECTION AGENCY as follows:

WHEREAS, Section 22a-354o of the Connecticut General Statutes provides that each municipality in which an aquifer protection area is located shall authorize by ordinance an existing board or commission to act as an acquirer protection agency; and

WHEREAS, The Town of Avon, acting by and through its Town Council, has determined that it is in the Town's best interests to designate the Planning & Zoning Commission as the Town's Aquifer Protection Agency:

NOW, THEREFORE, IT IS HEREBY ORDAINED, that;

1. Designation and Membership

Pursuant to Section 22a-354o of the Connecticut General Statutes, the Planning and Zoning Commission of the Town of Avon ("Commission") is authorized to be the Aquifer Protection Agency of the Town ("Agency"). Each member of the Commission shall be a member of the Agency, and the Term of each member on the Commission shall be co-extensive with his or her term on the Agency. Each alternate member of the Commission shall be an alternate member of the Agency, and the term of each alternate member on the Commission shall be co-extensive with his or her term on the Agency. All ordinances, rules and regulations pertaining to the method of selection and removal of members and alternate members and the filling of vacancies on the Commission shall be deemed to be applicable in equal force and extent to the Agency.

2. Powers and Duties

The Agency shall have all such powers and duties, and shall be bound by such requirements, obligations and limitations, as may be prescribed by Sections 22a-354a through 22a-354bb of the Connecticut General Statutes, as amended, as well as any other statutes pertaining specially to municipal aquifer protection agencies.

3. Regulations

The Agency shall adopt regulations in accordance with Section 22a-354p of the Connecticut General Statutes, as amended.

Copies of the proposed Ordinance #72 are on file in the Town Clerk's office, Avon Town Hall, and are open to public inspection during normal business hours.

Dated at Avon, Connecticut this 20th day of December, 2004.

Philip K. Schenck, Jr.
Town Manager"

There being no public comment the Public Hearing was closed at 7:34 p.m.

On a motion made by Mr. Carlson seconded by Mr. Shea, it was voted:

RESOLVED: That the Town Council approve Ordinance #72, ORDINANCE ESTABLISHING AN AQUIFER PROTECTION AGENCY, as read, attached and made a part of these minutes, to become effective 21 days after publication.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-52 Acceptance of Road Right-of-Way: Arch Road To Darling Drive

The Town Clerk read the call of the Public Hearing as follows:

“TOWN OF AVON

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, January 6, 2005 at 7:30 p.m. at the Town Hall, Selectmen’s Chamber, 60 West Main St., to consider the following:

“To consider and permit all interested persons to speak on the plan of the Town Council to accept on behalf of the Town of Avon a Right-of-Way between Arch Road and Darling Drive.

Dated at Avon, Connecticut this 23rd day of December, 2004.

Philip K. Schenck, Jr.

Town Manager”

The Town Planner reported that the Town in accepting this right-of-way will be accepting its responsibility. The Public Hearing was closed at 7:36 p.m..

On a motion made by Mr. Woodford, seconded by Mrs. Hornaday, it was voted:

RESOLVED: That the Town Council accept on behalf of the Town of Avon a Right-of-Way between Arch Road and Darling Drive.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-53 Acceptance of Open Space, Brightwater Estates

The Town Clerk read the call of the public hearing as follows:

“TOWN OF AVON

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, January 6, 2005 at 7:30 p.m. at the Town Hall, Selectmen’s Chamber, 60 West Main St., to consider the following:

To consider and permit all interested persons to speak on the plan of the Town Council to accept on behalf of the Town of Avon, 2 parcels of open space in the Bridgewater Estates Subdivision (1) a parcel consisting of 2.5 acres, as shown on a map entitled “Bridgewater Estates Phase IV, Wild Wood Drive, dated February 2004” and (2) a parcel consisting of 11.26 acres, as shown on a map entitled, “Bridgewater Estates Phase VI, Northington Drive, dated March 2004”.

Copies of said maps are on file in the Avon Town Clerk’s Office and open to inspection during normal office hours.

Dated at Avon, Connecticut this 27th day of December, 2004.

Philip K. Schenck, Jr.

Avon Manager”

There being no public comment the Public Hearing was closed at 7:40 p.m.

On a motion made by Mrs. Hornaday, seconded by Mr. Carlson, it was voted:

RESOLVED: That the Town Council on behalf of the Town of Avon accept 2 parcels of open space in the Bridgewater Estates Subdivision – 2.5 acres in Bridgewater Estates Phase IV Wild Wood Drive and 11.26 acres in Bridgewater Estates Phase VI, Northington Drive.

Mrs. Hornaday, Messrs Hines, Carlson, and Woodford voted in favor. Mr. Shea abstained.

III. MINUTES OF PRECEDING MEETING

On a motion made by Mr. Carlson, seconded by Mr. Shea, it was voted:

RESOLVED: That the Town Council approve the minutes of the November 18, 2004 meeting as read. Messrs Hines, Carlson, Shea and Woodford voted in favor. Mrs. Hornaday abstained – absent from the meeting.

On a motion made by Mr. Carlson, seconded by Mrs. Hornaday, it was voted:

RESOLVED: That the Town Council approve the minutes of the December 6, 2004 meeting as read. Mrs. Hornaday, Messrs Hines, Carlson and Shea voted in favor. Mr. Woodford abstained – absent from the meeting.

IV. COMMUNICATION FROM AUDIENCE – None

V. COMMUNICATION FROM COUNCIL

Mrs. Hornaday reported she attended a meeting and greeted at the new Jewish Community Center, it was very pleasant and she knew many people, plus there were many from surrounding communities. They will have community activities there, they have a room for young people for educational opportunities. They indicated a great desire to be involved in our Town and to be a part of the things that are going on in Town, and to be kept informed, and to work with the other organizations in town to really become a part of the community. They felt they wanted to be a more visible and active part of the community.

Chairman Hines reported he was at the opening of our new water pumping station in Fisher Meadows. That was unbelievable, the building is going to be gorgeous, it is going to be like a tower in a castle, the stonework they are doing there is beautiful. They pumped water while he was there. In May they are going to have a grand opening when everything is finished.

Chairman Hines reported on Monday he will going into the Courthouse in Hartford, Administrative Judge Robert Beach is having a meeting and we are all invited, starting at 8:30a.m. Essentially you would meet judges in the district and local legislators, all being invited as well, to tour the facility and sit through court proceedings, including informal discussions with judicial colleagues.

VI. OLD BUSINESS

96/96-32 Appointments: Update of January 1998 Facilities Maintenance Study Committee

Report.

On a motion made by Mrs. Hornaday, seconded by Mr. Woodford, it was voted:

RESOLVED: That the Town Council appoint Dean K. Doormann to the 2005 Facilities Maintenance Study Committee.

Mrs. Hornaday, Messrs: Hines, Carlson, Shea and Woodford voted in favor.

On a motion made by Mr. Shea, seconded by Mr. Woodford, it was voted:

RESOLVED: That the Town Council appoint Thomas A. Gugliotti to the 2005 Facilities Maintenance Study Committee.

Mrs. Hornaday, Messrs: Hines, Carlson, Shea and Woodford voted in favor.

98/99-96 Final Status Report and Discharge: Thompson Brook School Building: Hank Frey

The Thompson Brook School Building Committee Chairman, Hank Frey, reported most of the items in the process have been completed. One item is in regard to a Contractor who worked on television cable wiring, it has taken a long time to get it completed properly, they are awaiting some parts in order to complete that. The other item is the plaque which is on order. The gymnasium floor is completed and it is beautiful. He reported everything was done properly, Mr. Smulski, the person hired to oversee the work for us, did an excellent job, everything was done by the book. One thing that he would like to ask is that a thank you letter be sent to PDS Construction, as they were unbelievably good to work with, right to the end of the project. Chairman Hines reported yes, send the letter from the Building Committee. Committee Chairman Frey reported no matter what the problem, no matter who it was with, they were always responsive. Chairman Hines thanked Mr. Frey for another great effort.

On a motion made by Mr. Shea, seconded by Mrs. Hornaday, it was voted:

RESOLVED: That the Town Council formally discharge the Thompson Brook School Building Committee.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-12 FY 05/06 Budget

a. FY 05/06 – FY 09/10 Capital Improvement Program: Secret Lake Association

Peter Marzano, Secret Lake Association Member, reported we are here to present the Annual 2005/2006 Capital Budget request. He would like to recognize that George Mulligan passed away, he lived in community for many years, and did a great job in being a good voice and trying to make a lot of things happen for Secret Lake in a positive way.

Mr. Marzano reported he worked along with Trish Rioux, on trying to develop a plan to implement some stop signs as well as speed bumps on Secret Lake Road. A stop sign has been implemented but awaiting springtime to put in the speed bumps.

Mrs. Rioux reported the stop sign has been placed, initially in discussions with the Police Department more stop signs were discussed, and discussed surveys that did not know whether stop signs were that beneficial or whether they would actually cause more accidents than actually get people to slow down. Our concern for those of us who live right on Secret Lake Road. Because the road is narrow and traffic has picked up now that the shops are open, that people have the tendency to really fly through there. Secret Lake is a community that is evolving, she lived there for nine years and as the ownership transitions and we are getting younger couple moving in. There are a lot of people walking down Secret Lake Road with strollers, or just little children on bikes. We put up the one stop sign, but she is a firm believer that stop signs do not slow people down, because they are not stopping at the stop sign.. Therefore ,we spoke of putting in speed bumps, we currently have two on Secret Lake Road at the Avon borders. We will be looking to put more in which are in our own budget. We will also take out the stop signs and put in a speed hump because they do slow people down, and hopefully protect the younger members of our neighborhood.

Mr. Marzano reported one of the reasons we are here tonight is to bring you up to speed on things and also to present the capital budget as follows:

1. The Storm Water Project will manage the flow of storm water and direct it into Secret Lake while holding sand and other debris in catch basins and reduce or eliminate further in-fill of the lake.
2. The Fresh Water Project will accomplish three objects: 1) it will offer residents with shallow point wells a source of fresh water, 2) it will provide for an interconnection between the Avon Water Company and the Canton Water Company, and 3) it will provide for fire hydrant protection within the Avon side of the Secret Lake area (Canton side is already completely supported by the fire hydrant protection).
3. The Road Improvement Project will improve the safe travel for pedestrians and cars within the Town of Avon side of the Secret Lake community. Newly paved roads, road markings that met current design standards (it is understood that width standards may not be met) will be safer for residents to drive on as the road surfaces will be safer in the winter, and with better drainage (poor drainage now caused by improper crown design and excessive water sitting on and seeping under poorly drained road surfaces) new roads will last longer.

Mr. Marzano reported he has had discussions with the Town Manager, that ultimately the right solution for the Lake is to dredge it, but we do not have a budget for that and the Town does not. There is some money spent on taking some of the weeds out of it every year, but a preventative measure actually makes some sense. He reported even though it was set up as a separate tax district under the Legislature in the early 1920's, the community never really taxed itself above and beyond what the Avon taxes were. So there has not been a practice by the people in this special tax district to set money aside to address its infrastructure.

He reported the Avon Water Company is very interested to tie up to the Canton Water Company on Secret Lake Road, but it does not seem right now that we would get a majority interest by residents in terms of doing something like that on the water supply. Many people in Secret Lake still have point wells, however, many of those people hooked into the sewer system.. He reported those are some of the things that we need, and we do not tax ourselves enough as a tax district, we really do rely on the Town.

The Town Manager reported we have \$30,000 in the current year's budget to start a plan, the implementation of whatever that plan is predicated upon progress with the water company. Are we hearing you correctly that what you think now is that the Association will not be proceeding to put in public water over there, so that if we moved ahead with the drainage, curbing, road repaving, we are not going to be digging that up in three years to have the water company come in to put in water lines. Mr. Marzano reported the last time we spoke it becomes a smart idea that both the Avon Water Company and the Canton Water Company contribute something so that if it is a \$30,000 plan, maybe the Town, and Avon Water and Canton Water each contribute \$10,000, and the plan is coordinated. If in fact we get the signal from the Town that you are ready to proceed with that as a project, then we are ready to proceed with the inquiry to the Community to see whether or not they are interested in it. The Town Manager reported the way it works, or it did with Lakeview, is they indicated to the Town they needed to have water put in there, and requested the Town act as bank, but we would be assessing the properties. The assessing number is more than just the water line coming in, it is also road repaving work that is related to the water part of it, not the whole width of the road only a portion of it. So the project to a great extent is dependent upon whether the Association wants to move ahead with the water project. Mr. Marzano reported the capital budget reflects a couple of things, the water system and we need a plan to install new catch basins.. The Town Manager reported we can come up with the plan, but then you have a plan, and somebody has to pay to implement the plan. The catch basins require the digging up of the roads, in many cases, to put in new drains, you do not want to just put in new catch basins, although there may be some over there that all you would have to do is rip out the catch basin and put in a sump. This is a large capital project, with curbing, paving and rerouting drainage lines.

The Town Manager will continue to work with the Association regarding their capital request.

b. Review and Discussion – Draft Town Council Budget Work Session Schedule

The Town Manager reported that he has tentatively scheduled the Town Council's budget work session meeting for February 12th. It was the consensus of the Town Council that they would meet all day on Saturday, February 12th starting at 8:00 a.m.

VII. NEW BUSINESS

04/05/54 Review and Discussion: Comprehensive Plan of Development Draft Avon Center Study; Steve Kushner

The Town Planner reported we are here tonight to discuss our draft, a fairly final version, of the Avon Center Study. The Planning & Zoning Commission initiated a public hearing on this draft at their meeting 2 1/2 weeks ago, there will be a continuation of that discussion at their meeting next week. Chairman Hines questioned whether they had many people attend the public hearing. The Town Planner reported no we did not, but we did have two public meetings at the Senior Center, half of the meeting covered the nomination of the Center to a National Register of Historic Places, and the other half was discussion about Avon Center, with 50 to 60 people attending each. Therefore we did have previous input on the process, and received several letters, but have not had a tremendous amount of participation. John Nettleton, of the Design Team, will go over some of the main recommendations in the plan with regard to the goals and policies we have talked about.

Mr. Nettleton, a design architect, reported he is here to talk about the Avon Center Plan, which was really a part of the Comprehensive Plan update. This component in the form of a draft will go to a public hearing first. Our consultants presented the town wide survey, and one of the questions was the identification of the Center of Avon, and that question left no question in our minds that people in Avon just do not have a sense of where the center is. He reported it has really evolved from where it was, and people are interested in bringing that sense of community back, as almost every town has a real center of some sort, which gives an identification to the Town and a sense of place to the people that live here. What he is trying to do is to promote a sense of place in the community, develop a pedestrian friendly area, and integrate the residential, commercial, and institutional uses within the center, and make it more of a dynamic place that people will enjoy coming to.

There are a number of specific recommendations that the Planning & Zoning Commission considered, and ideas to solidify the center and bring it together. The first thing is a lighting fixtures that represents the Town, and know when you are entering the Town, that you are there, a different place than the rest of the commercial strip of Route 44. The Planning & Zoning Commission has selected specific light fixtures that they would like to see used throughout the center, which are very attractive and high quality light that will last many years. Another important aspect here are sidewalks and also bicycle routes in Town to make it a more pedestrian friendly area. There are a number of sidewalks within the center, some of them are in various states of repair or disrepair, we would like to see them extended throughout the center so people can access the center and walk around it much more easily. Along with that we are looking at other amenities to make it just a little easier to get around the center. Parking racks for bicycles, connections to the Farmington Valley Greenway, and maybe even a map of the historic center in cooperation with the Chamber of Commerce, indicating where businesses are located so that people unfamiliar with the area or even residents can look at that. One of the other things is a secondary road system, that has been talked about previously in other plans. The idea is to connect interior roads and parking lots, so you do not have to access every driveway from Route 44, or Old Farms Road. It is something that the Planning Commission has been involved with before.

Landscaping is another critical component of this, there are some street trees in Town, there are some flowering trees which do not quite make the same impact as a shade tree. When you think of people in a village or in many town centers, you think of a large stately tree that provides shade, and has a real comforting feeling at all times of the year. Again we have added street trees in strategic locations, not just lined up, or clustered in some areas, as you have to work on the infrastructure that is in place now.

Mr. Nettleton reported there may be grants available that may be used. to implement some of these recommendations. It might not all have to fall on the total burden of the Town finances. Also looking at the Farmington Valley Greenway to extend the trail into the center so more people can get into the center on bicycle a little easier and access some of the shops within the center. Right now people on foot or bicycle are sort of bypassing the center, and not really making full use of the center. The other major issue are crosswalks within the Route 44 and other areas are critical so that people are able to get across safely. Right now it is difficult with the timing of lights, they are not the best, and clearly marked crosswalks, and working in cooperation with the Department of Transportation, there certainly could be a lot of improvements there. Also seating, just benches or stone walls, where people can sit in strategic locations, not just haphazardly, it just makes it more friendly for people to chat and sit, and interact with each other. Signage is another critical component, you do not want to over regulate signs but you want to have some kind of theme, something that would fit within the Town character is what we are talking about. The Enford Street grounds, right now is a rather under utilized area, and we would like to see the recommendation to continue it as a park, and maybe add some flower gardens, perhaps a decorative fountain, and make more use of that because it is a great area right there. Another component is the creation of an Avon Center Overlay Zone, and this will add, not entirely as a regulation, but it works two ways, it is an incentive as well to developers to bring in more business and make it easier for them to develop within the center of Town, and encourage developers to develop in the manner that the Town would like to see. So there has to be kind of a give and take between the Planning & Zoning Commission, certain regulations and architectural standards, and quality, and in exchange for that the Planning & Zoning Commission would perhaps give a little bit more density or flexibility in design of the property. One of the things that we are trying to do, and the Planning & Zoning Commission is interested in encouraging, are residential uses within the center, because if you do not have residents in the center, you will have activity levels that fall off at a certain point during the day, then it becomes inactive, if there are people here it attracts more people, and that makes it a vibrant center.

Chairman Hines questioned how would this zone compare to the zone for Old Avon Village. The Town Planner reported it is commercial specialized, and this would be different from that, the idea really was to allow some flexibility so that on vacant land or on predeveloped property, a developer would have the option to develop the site in a way that would be more traditional as to how a town center has been developed. It would allow buildings to be pushed out to the street, in fact it would require that parking be to the rear of the project, in the way that old main street was developed, which is contrary to a modern zoning ordinance which requires the building to be pushed back and parking is out in the front. For example, Ensign-Bickford has a parcel for sale right now, just to the north of the Marriott Hotel/Residence Inn, that driveway was designed to provide access to that site as well. What this overlay zone would envision would be through a special permit process, Ensign-Bickford would like to attract a restaurant to that site, as part of the site plan, to push the building out to the street, perhaps within 20 feet of the street. Mr. Nettleton reported it actually helps slow traffic down a little bit too, along with the street trees and lighting, people get a sense that we are in a different place here, we are not just along Route 44, we are in a new location. The Town Planner reported one of our cores of this plan is that obviously we have to accept the realities of Route 44, and the traffic burden that is out there, which is about 31,000 cars per day right now. But as you turn the corner onto Simsbury Road it drops to about 15,000 cars per day, which is still a lot, but as in Simsbury Center you will see a quite a bit of pedestrians in Simsbury Center on a nice day. We could have a more compact village on Simsbury

Road, which might actually encourage additional people to get out and walk, so to some degree we have been focussing our energies on Route 10 also. Mr. Nettleton reported we are looking at encouraging shared parking arrangements for businesses and institutional uses. Some institutional uses that we would like to maybe have in this center here, such as a Library, Town Hall, Post Office and things that attract other business in Town, and certainly the post office is a major greeting place for a lot of people.

Dean Johnson, Landscape Architect and long time resident in Avon who started his office here 35 years ago, reported he did quite a few projects throughout the State, including individual projects and town and city design, including Litchfield, Ridgefield, Cheshire, Simsbury and West Hartford.

Mr. Johnson reported the main thing he will do is to tell you a little bit about the things that we looked at, and also a little more detail on some of the items. At the very beginning we went out and did panoramic photographs of the major entries into the center of the Town, along Route 44, east and west, and along Route 10 and Old Farms Road north and south. We made notations on that in terms of areas that we thought should be addressed, the kind of thing like -would it be nice to eventually get the overhead lines underground - hopefully some day they will find a better way of doing it, because it makes a big difference where it has occurred. Getting up a decent sidewalk system that begins to connect things throughout the center, those are the kind of things that give you that and the lighting, beginning to get these common threads through the center. There are a lot of really nice details that already exist in the center, of lighting, benches, signage and that kind of thing that can be built on and so this was just basically an identification that we wanted to show the public when we were talking to them. Avon has some of the best historic photographs that he has seen, the best collection. He had about 50, and is ready to show a few. A lot of times we find in looking at those photographs, we can find an old detail that is gone, that maybe could be brought back, and that is part of the reason we are looking at it, plus it is just amazing to him how much this Town has changed through the years.

The main area we are dealing with is from the Farmington River on the east, up to Darling Drive on the west, and on the north going to up Riverdale Farms, and on the south down to Arch Road. We are showing the theme lighting running along Route 44, Old Farms Road to the south, and along Simsbury Road on up toward Riverdale Farms. There are also areas in between here, and behind on Woodford Avenue, where also we figured that theme lighting could be added. Chairman Hines questioned whether Riverdale Farms is part of it. Mr. Johnson reported there will be some things that probably will not extend quite as far. There are certain items which he personally would like to see, the theme lighting to come up to Riverdale. In fact it is interesting that someone from Riverdale felt they would like nothing more than to extend sidewalks from the Center up to near Riverdale, and that is the kind of thing that will reinforce that concept.

The Town Planner reported opposite Riverdale, there is a possibility of some multi-family housing that might go in there. He previously mentioned the walks, the secondary road system, but the primary things that we were adding there we could get the possibility of a connection that would run from the existing parking lots behind the O'Neills and connect up at Old Farms Road, then continuing on across into Old Avon Village. We have talked to both the O'Neills and the Augusts, about doing something like this, and both were very much in favor of it. It is one thing to put it on a plan, and another thing that might take a long time to get it initiated. The other possibility is getting a connection behind Old Avon Village, north over to the post office, it is cut off now, but that is another possibility.

Mr. Johnson reported for the landscaping of the area, the main thing is that Avon is blessed as it already has a lot of large mature trees, and that is one of the reasons that we were not impacted by the overhead lines as much. His experience has been that wherever we have la arge opening we try to get the shade trees in there, rather than flowering or fruiting trees, as they have a fairly short life even though they can

make a nice show, whereas some of the shade trees can go 100, 150, or even 200 years. We have cross walks proposed, with one eventually proposed by the Marriott Residence Inn, most of those we are proposing are already where lights exist, at Old Avon Village, one eventually near River Park across to the Fairway shops, and actually throughout the Center. This came up in the Planning & Zoning Commission meeting, one of the people were very concerned about there being so much traffic that how can anybody get across there. He heard the same discussion with West Hartford, as people go through there so fast, and part of the thing is that you almost have to make with speed bumps and with the cross walks, and with large shade trees, and with this whole atmosphere – you just have to grab them and slow them down, and maybe even the possibility, which we show in some of the cross sections, of introducing medians would help, where you can get people out to that median, and then get them across. Chairman Hines questioned whether we would have support from the State to have crosswalks there, with buttons and so forth. Mr. Johnson reported he believes so, his experience has been, again as in West Hartford, as they did not have but a few traffic lights there, and they added a couple middle walk lights, which the State usually does not like. They allowed it there, and we got additional crosswalk areas in the Ridgefield area, and both of them are State highways, so there is certainly precedent there.

Mrs. Hornaday reported maybe four years ago the State talked about some realignments on Route 44 coming down from the mountain and in, a boulevard kind of area similar to West Hartford. If the State is still thinking in those terms, we would want to coordinate what you are talking about with what the State is talking about. The Town Planner reported what you are referring to is the Route 44 Corridor Study, that the Town participated in, there was a consultant that was working with the DOT at the time. That report which the Town Council adopted and the Planning & Zoning Commission adopted, is still in effect, and calls for a center median from the Simsbury Town line on Route 44, only to Climax Road. The only reason we stopped at Climax Road was that the area got really tight as it approached the center, and the buildings were very close to the road, but that still is part of the plan. Mrs. Hornaday questioned whether that would coordinate with this plan. The Town Planner reported yes it would. Chairman Hines reported it is important to keep Riverdale Farms a part of all of this, because as you look at the success of the business there, they are of high quality, and it would be nice if we could connect the two, continuing into Old Avon center. Mr. Johnson reported any kind of development that gives more reinforcement to the activities in the Center, will make it more successful. In terms of the signage, he found that signage almost more than any other single item, other than lighting, if you can begin to get that central theme it really can draw or bring an area together very quickly, and it does not have to take a lot of money either.

Mr. Woodford reported Ensign-Bickford is talking about a matching grant with the Town, maybe there is something with the lighting we can work on. The Town Planner reported Ensign-Bickford is interested and they are going to use three light fixtures, out of their whole program that match the kind we are describing, and the three that are closest to the Town's directly next to but on their property. For the remainder of their improvements they are using another fixture that we will see elsewhere in the park, the same as the hotel uses. In appearance it is similar but will be of less quality, but the ones closest to the Town Green they have agreed to use the same as the Town. Mr. Woodford questioned the cost of the lighting. The Town Planner reported they are about \$2,300 not installed, the fixture is designed to last 50, 60 to 70 years. Mr. Woodford reported his question is whether there is something that we should do at this point to impact that somehow. The Town Manager reported what we can do with this matching grant is if there are other lights needed in that particular area, that would be a qualifiable expense for the money. He further reported we have worked long and hard with Ensign-Bickford on the lighting fixture thing, and they are not going to do more. If we want to go in and pay for fixtures for them in the park, ones that make sense for us, they probably would not have a problem with that. Mr. Woodford reported if there are some areas that would make an impact on our property and may cost us a couple thousand dollars, maybe we should do it now. The Town Manager reported

part of that grant is predicated upon an update of the Master Plan of the Town Green which includes the fixture standards that the Town Planner has set. Mr. Woodford reported we are aware that Ensign-Bickford will buy three of the light fixtures, however, if five would make it much nicer, then maybe we should do something.

The Town Planner reported of all of these things in this plan, what we can do with the cost, if we agree and the Planning & Zoning Commission agrees, if we can figure out a way to install those approximately 60 fixtures on Main Street, Simsbury Road and Old Farms Road, that probably alone would really set the Center apart. Chairman Hines reported it should be put in the Capital Improvement Program. The Town Planner reported he was going to actually suggest a way that it could be accomplished at less cost to the Town. One is that we did prequalify the project in the Neighborhood Assistant Act Program, we may be too late for this year, but the State did approve of that, so that would be an opportunity for corporate businesses to make donations. Another thought with the Town Council's permission, if you felt it might be appropriate we could get the word out in Town that the Town would be interested and the Town Council would be interested in receiving donations, and we could, like in some communities then offer a bronze plaque to be mounted on the pole, for a corporation donation. It might be that some property owners that would have the fixture in front of their business might want to do that, the Town might be successful in that regard also.

Mr. Woodford reported before we leave this issue on lighting, he would like the Town Planner to look at the Ensign-Bickford plan and if there is an opportunity to impact that, come back to us.

Mr. Shea questioned, regarding Towpath School, could a developer like they did with Blue Back Square come in and partner up with the Town to assist on some of the costs we are talking about? The Town Planner reported the Planning & Zoning Commission is aware of their somewhat limited role as to what the final disposition of the school is, they want to share that with the Town Council, that is they understand that is the Town Council's decision, obviously, as to what the final word is as to whether the Town will hold onto it, or sell it. There are some recommendations in this report, he would like to talk about how we can partner with a developer. What option they would suggest is a combination of housing and some kind of small scale office retail development. What it shows is the possibility of the demolition of the Towpath School building, but not the building that the School Administration offices are in. In all of the scenarios, this report suggests that the school administration unless the Town Council tells us otherwise, this report shows that building stays. What it shows is the 1949 Towpath School building being taken down, and replaced with some kind of congregate housing, it could be apartments, condominiums, or a popular form of housing which we have heard a lot about lately which is deed restricted active adult 55 and older project. But one of the things we have been talking about is that adding some additional number of housing units in the downtown core, whether it is 50 homes or 75 or 100 in total, not just in this site but in other parts as well. That could only be a good thing in terms of getting people out on the sidewalk. We show housing back there, and another option also shows a sketch of three additional small scale buildings, of the scale of Riverdale Farms, Old Avon Village, being pushed out close to the street, and similar to what we have been talking about with the discussion about the overlays, which shows parking towards the rear, in fact it shows a service drive around the rear.

Mr. Woodford reported his main concern of this whole plan is how much control do we have over the development of this area. That project in a neighboring town came out, in his mind, that it was never supposed to look like that, and he does not want that to happen here. If we do demolition Towpath School, he would want something that we are going to be able to control, can we do that? The Town Planner reported yes, and with Towpath School we would have the ultimate amount of control, because the Town owns that site, and his thoughts would be that if the Town decides to sell it, we could put together an RFP, and we could frame out as part of that RFP the parameters under which the developer

would be constrained by, a certain amount of retail space, a certain scale of the buildings, a certain architectural style. It might mean that we might not receive what an real estate appraisal might say is the highest value, but the highest and best use might be something we would not want there. We would not necessarily be trying to market it with an eye on getting the best return, we would be marketing it to a developer who would be bidding on that site based on a certain set of parameters, and then the Town Council would have the ability to screen through those proposals, with maps and plans and you would be able to interview them, and select the buyer you felt most fits those criteria.

Mr. Shea questioned that being the case, why did the Planning & Zoning Commission not include the building that presently houses the Administration for the Schools, as a developer may be interested in that property also. The Town Planner reported only because we were trying to understand what our role was, we felt our limited role was from the land prospective, and the Town Council might have had discussions about the School Administration, and that current thinking was that it was best to leave them where they were. Chairman Hines reported we thought we might be open minded about the possibility if someone came in and said that they would like to modify that use. We think and the Board of Education and School Administration agreed they can find a spot anywhere, so we have flexibility there. Mr. Shea reported as you look at that property, and everybody knows, to the right of the present administrative building is just way too much parking for what they do there. So what would you put there, it would be difficult to develop anything there? It would be natural that something would have to be done there too. Mr. Carlson reported that pertains to options, once you say that building on the property must remain, for one he would say if you are going to market it, market the whole parcel, look at all of the options that come in. Maybe someone would say they want to develop around that building, great, he would leave that up to the creative thoughts of the people who want to build there.

The Town Planner reported a company that specializes in small town development told him they were ecstatic about Avon Center, they looked at the pieces that were here. A lot of the pieces are already in place in Avon Center, a tremendous history that cannot be reproduced. Mr. Shea questioned when they came in to speak to the Town Planner, were they receptive to working with the Town, have they done this before? The Town Planner reported yes, in fact this group did a project in Mansfield, they were the successful bidder through a very public process with the City of Mansfield. The Town Manager reported they actually set up an independent development corporation of which the town was a partner with them to work on it. Mr. Shea reported he is concerned that future Council's would not be concerned about trying to dictate what should or should not be done. He agrees with Mr. Woodford, that it can be done without dictating, and it is a process he is not familiar with where developers come in and partner up with the town. The Town Planner reported not only would the town be involved in that process, but the developer would have to submit an application to their Planning & Zoning Commission, so it would be a total hearing process with special permits, public hearings, and neighborhood input.

Chairman Hines reported if we were to do anything, we would do it in conjunction with Planning & Zoning we would not do that on our own, as a Town Council. The RFP would have to be very carefully reviewed by Planning & Zoning also. The Town Planner reported the way he would envision that, it would not be a partnership in terms of financial preservation of the project. The developer would own it, they would own all the rights to it, but we would have control in shaping and molding the project as it was proceeding.

The Town Planner reported there are other scenarios, that preserves the Towpath School building, it might be feasible that a developer would come in and want to preserve the shell of the building, as there are a lot of issues with the rest of the building with asbestos, heating systems and so forth. It might be possible to preserve the exterior, as the Planning & Zoning Commission is very aware that many people in Town feel very strongly about and have different emotional connections to that building. Another

scenario which we do not know how economically feasible it would be, that maybe the Towpath School building could be preserved and converted into housing, with some kind of a community space in there, good for the community and also would tend to bring people downtown. The kind of things they were talking about were things like a playhouse, recreation center – which raises other issues. But some kind of space that would be devoted to community use, which would (a) preserve the historic structure, (b) provide a reasonable transition and good neighbor to the homes located just on the other side, and at the same time tend to bring people downtown.

The Town Planner reported the other thing, if you start to look at the housing we have, we do not have a lot of people walking into the center right now, but the potential is certainly there. We have a neighborhood which is aging, and those houses are going to start to turn over within the next 20 to 30 years. We will have people moving in with children, and we may be able to take advantage of that as well. We have a developer that has approached us regarding an area near there, and is looking at around 50 condominium style homes which maybe a 55 and older restricted project. If the Planning & Zoning Commission were to approve something like that, we might require the beginnings of a sidewalk system here, which eventually would get us back to the Center, and the bike path.

Chairman Hines reported he would like to see the Towpath School torn down and a park put there, with no development at all, open space. If you go ahead with this kind of comprehensive plan, does that preclude anything like that? The Town Planner reported it would not prevent it. Chairman Hines reported he would like that building taken down, whether we keep the Annex or not, and turn it into a more passive park, but we would have the option in the future for tennis courts or something. He would like people in the Center to be able to walk up there and have a place for some picnic benches, and other sitting benches, if people were at Sperry Park they could use it too. We have so little open space, but if we were going to develop it the way the Town Planner has reviewed it, it is an excellent plan also.

Mr. Carlson reported he is all for open space, and he totally agrees with all of your comments on the way another town's project has turned out. It appears to him that the corner stone of getting the center developed is to have a core group of retail and residential buildings where people now live, and shop and walk. So if you take this out of that equation, this parcel of land where Towpath is, are we not taking out of it the opportunity to really have downtown develop? Another approach, in partner with a developer would we be able to say we want to keep a couple of acres out of the eight, so that it is open space park like between that and the combination of the Town Green, we might be able to do something like that, a smaller park like area. The Town Manager reported we have the Enford Street grounds, then if we had something on or near the Towpath School and we have the Town Green, we are starting to build oasis' among a more densely utilized area, and if it is tied together with a theme such as lighting, paving and landscaping it will tend to bring some of that together and you might not lose a lot of the passivity of it by allowing some of the other uses, it just may be of a little lower density. The Town Planner reported the concern is what the developer is willing to pay, as the developer is going to be concerned about density, and even with our overlay zone, which would make the developer subject to new rules and design requirements, there will still be some minimum open green space required. It might be possible to if there is going to be 2 1/2 acres of green space we might give the developer credit for that 2 1/2 acres and allow a denser development on the portion they would be purchasing and then devote the 2 1/2 acres as an addition to the open space instead.

Mr. Shea questioned the time line for this. The Town Planner reported the Planning & Zoning Commission started their hearing a couple weeks ago, and will continue Tuesday, they are looking for any philosophy the Town Council might have. They are under no deadline, because this is their own project, they initiated it, so they do not have a statutory time frame to worry about.

Mr. Carlson questioned whether we could require developers as part of their approval to pay for the lights that go along Simsbury Road, in this case, and abut their property. The Planner reported what we can do as part of the site plan approval process, we can have a regulation to develop certain standards, that says if you are in this certain overlay zone you must use this period reproduction lighting and we could designate the location so that the two or three that is required would not require funding. Mr. Carlson reported we would need something fairly soon, there will be a parcel in that general area being developed, we need to have this in place for those period lights. The Town Planner reported in that sense, the sooner the better, we need to push it along, you need to have the study adopted and then there needs to be a set of regulations in place, so that when the application comes in we have the standards. Chairman Hines reported you could move this part along in the Comprehensive Plan of Development, so that it would be in place. The Town Planner reported there are several projects that we know are just in the talking stages right now, and probably will be going into design soon, and it would be helpful to us if we actually had the regulations in place. Mr. Woodford questioned if we said this is great, and you went to the next meeting and approved it, can it be amended down the road. The Town Planner reported absolutely.

It was the consensus of the Town Council that what has been presented is generally very attractive and they like the idea of the Overlay Zone they like. Maybe a little more open space option for the Towpath parcel, but that may not need to come into the Comprehensive Plan, that could be the Town putting it into our RFP,. It was the general consensus of the Town Council that they are in general, very happy with the proposal, and encourage the Planning & Zoning Commission to proceed.

The Town Manager reported Ron Evans of the Chamber of Commerce has approached the Town to participate in a questionnaire to the business community, because in some ways they feel that they have not been perhaps afforded the opportunity to present their opinions. He reported the issue that comes up is that you may have as a Council, before you next month or in a subsequent month, a request for \$3,000 or \$4,000, 50% of the cost, to assist them in conducting a survey of their own on the business needs of the business community in Avon so that it can be fed into the planning process that is going on here. The question comes up that if this survey is something that you want to participate in, and you want to wait until you get the results back from that, it might have some influence on what is going on here, and it may serve to further delay the implementation of this part of the Comprehensive Plan.

The Town Manager reported they wanted to survey their members on a number of issues that were important to them in the Chamber, and some of those included public policy issues that the Chamber may want to bring before the Council, in a different venue, such as sign regulations, zoning and incentives. He further reported you are looking at future land use decisions for the business community which some of the people may not like it. Chairman Hines reported Mr. Evans told him that the survey that the Town did only hit about 300 people and did not question businesses. Chairman Hines informed him that from a statistical point that is a very large number, and in the paper there were articles that anyone who wanted to give input and wanted to fill out the questionnaire they could, so the Chamber had the opportunity to do that. We should not be paying towards a Chamber questionnaire that we would not have control over the questions. Mr. Woodford reported they could contact each business owner by phone and ask them their concerns, it would take about 15 minutes each. He further reported there will be many things contained in that survey that are already controlled by Zoning Regulations, such as lighted business signage, and those changes are not going to happen except by due process.

04/05-55 Approve State Grant \$24,000, Farmington River Trail

The Town Manager reported we have received a State Grant for the construction of a trail along the Farmington River, southerly of Old Farms Road on the recently purchased Fisher Farm property.

On a motion made by Mr. Woodford, seconded by Mr. Shea, it was voted:

BE IT RESOLVED: That it is in the best interests of the Town of Avon to enter into contracts with the Department of Environmental Protection.

IN FURTHERANCE OF THIS RESOLUTION, Philip K. Schenck, Jr., the Avon Town Manager, is duly authorized to enter into and sign said contracts on behalf of the Town of Avon. The Town Manager is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, recisions, and revisions thereto.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-56 Resignation: Planning & Zoning Commission

On a motion made by Mr. Shea, seconded by Mr. Woodford, it was voted:

RESOLVED: That the Town Council accept with regret the resignation of Brien N. Bialaski from the Planning & Zoning Commission.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-57 Appointment: Planning & Zoning Commission

On a motion made by Mr. Shea, seconded by Mr. Woodford, it was voted:

RESOLVED: That the Town Council table this item to the February 3, 2005 meeting.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-58 Resignation: Natural Resources Commission

On a motion made by Mr. Woodford, seconded by Mrs. Hornaday, it was voted:

RESOLVED: That the Town Council accept with regret the resignation of Michael R. Beauchamp from the Planning & Zoning Commission.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-59 Appointment: Natural Resources Commission

On a motion made by Mr. Carlson, seconded by Mrs. Hornaday, it was voted:

RESOLVED: That the Town Council remove this item from the Agenda.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-60 Supplemental Appropriations: \$13,060 Neighborhood Assistance Act

On a motion made by Mr. Shea, seconded by Mr. Carlson, it was voted:

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY2004/2005 Budget by increasing:

REVENUES

General Fund, Other Local Revenues, Donations from Private Sources, Account #01-0360-43651 in the amount of \$13,600 and increasing:

APPROPRIATIONS

General Fund, patrol Services, Other Equipment, Account # 01-2107-53319 in the amount of \$12,060 for the purpose of recording Neighborhood Assistance Act donations to purchase eyewitness in-car video systems.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-61 Participation (\$950) in CCM – CL&P Streetlight Proceeding, DPUC

On a motion made by Mr. Carlson, seconded by Mrs. Hornaday, it was voted:

RESOLVED: That the Town Council approve of participation in the CCM – CL&P Streetlight Proceeding with the DPUC, in amount \$950 from the Legal Account.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-62 Approval of 25 Years of Service Resolution for Jeff Peterson (Department of Public Works)

On a motion made by Mr. Carlson, seconded by Mr. Shea, it was voted:

WHEREAS: The Avon Town Council on this the 6th day of January, 2005 adopt this RESOLUTION in recognition of the faithful service of PAUL J. PETERSEN as a member of the Avon Public Works Department. The Town Council wishes to express, on behalf of the Town, their appreciation for his service.

WHEREAS: JEFF's record of service has contributed in no small measure to the able operation of the Public Works Department. JEFF's career with the Town began on November 7, 1979. He is a Highway Maintainer III and works through all types of snow storms, and has been driving Truck #7, as long as anyone can remember. It is men like JEFF that have made our roads safe to travel upon in the worst of weather.

WHEREAS: JEFF is a quiet and gentle man who has led by example and has been protective of the Highway Department employees' rights as their Union Steward for over 10 years. He has represented the men well and in his own unique style. During labor negotiations, over the years, his quietness and non-committal demeanor have been unnerving to the management team.

WHEREAS: JEFF has also served the Town of Avon as a volunteer fireman. He is a resident of Simsbury but serves as a volunteer in Avon during his working hours. This requires commitment on his part to continue with the necessary training that is required of our volunteer firemen.

NOW THEREFORE, BE IT FURTHER RESOLVED: That the Town Council of the Town of Avon, on behalf of its citizens expresses its grateful appreciation for his TWENTY-FIVE YEARS of dedicated service, and that this RESOLUTION be spread upon the minutes of the January 6, 2005 Town Council Meeting, and that a copy of this RESOLUTION be presented to PAUL J. PETERSEN.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

04/05-63 Amendment: Flexible Benefits Plan to Include Members of Police Bargaining Unit

On a motion made by Mr. Carlson, seconded by Mr. Shea, it was voted:

RESOLVED: That the Town Council approve an amendment to the Flexible Benefits Plan to Include Members of the Police Bargaining Unit, to read as follows:

Amendment #1

Definitions

Section 1.3 "Effective Date" and Section 1.4 "Employee" are amended effective January 1, 2005 to include any regular, full-time IBPO Local 541 union employee in the Police Department.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

VIII. TOWN MANAGER'S REPORT/MISCELLANEOUS

The Town Manager reported he distributed the location study for the Old Farms Road, Thompson Road, and the assessment report. That looks like it is moving ahead through CRCOG. Our portion is going to be to connect Scoville Road with Old Farms, near the Old Farms School old railroad station, continue that through and then cut northeasterly back out onto Old Farms Road back near where that quarry is, that is about a million dollar price tag to do that. It includes taking out the rest of Old Farms Road down to Country Club and taking out the ups and downs but it will be in the same right-of-way. Chairman Hines questioned the traffic count there. The Town Manager reported it is about 7,000 to 8,000 per day.

The Town Manager we had a call today, and we may get a letter, from a woman who is irate that we cut out the brush collection, which serves all people in Town, but we are picking up Christmas trees, and she thinks that is unacceptable, discriminatory, and for somebody from a different faith it is not something that the Town should be doing.

The Town Manager reported we have had considerable problems with the Towpath School heating system, we have had to replace the whole burner unit for \$3,000, replace the compensation pumps and tanks for \$4,000, we already have \$7,000 to \$8,000 in repairs, calls and overtime. The Health District had to shut down two days because we could not get the heat to them. We have put quite an effort into keeping that burner going.

The Town Manager reported there was an article in the paper regarding Alsop Meadows and Fisher Meadows, the FRWA are applying for a \$4,000 grant to: 1) remove invasive species from this vital habitat area before they take over the sites, 2) planting native plants that encourage indigenous bird species, 3) educating the Town of Avon and citizen volunteers about habitat management, invasives, natives, and regionally important bird species conservation, 4) monitoring the sites to measure the impact of the program on habitat and bird populations and 5) sharing the process with other agencies for use on other important habitat sites.

The Town Manager reported we will have the budget presentations, and we need to keep in mind that even if Recreation has a percentage increase in the costs, there would also be an equal increase in fees, therefore it evens out. Mr. Shea reported he would like the Recreation Director to have as a minor quick point in his presentation about how he is solving an issue of the problem of the families that cannot afford all of these fees. He is in favor of these fees but for the children that cannot afford it, how does the Director anonymously solve that problem - should be part of that discussion.

The Town Manager reported we will soon have some figures on the Avon High School renovation project. Mrs. Hornaday reported we must not go to referendum too soon, it must be a very comprehensive and clear presentation, then people would know that we have covered all the bases and know what we are trying to do, and we will be ready. Mr. Shea reported we must not have it turned down then have to water down the project to return in five years. He would like us to address this and get it over with, and not need to return again for at least 20 years. The Town Manager reported we have given explicit instructions that all of the books and computers are not to be put into the project, they have to be put in the capital budget. It was the consensus of the Town Council for the Town Manager to send a letter to the Finance Director, Board of Finance and Board of Education, that any items not reimbursable under State Funding, should not appear in any school renovation or building project. Also, include that the Town Council will be enthusiastically supportive of trying to get those items that are needed in their capital budgets.

IX. EXECUTIVE SESSION: Litigation/Negotiation – None

X. ADJOURNMENT

The meeting was adjourned at 10:10 p.m.

Attest:

Caroline B. LaMonica
Town Clerk