

The Planning and Zoning Commission of the Town of Avon held a meeting at the Avon Town Hall on Tuesday January 29, 2013. Present were Duane Starr, Chair, Linda Keith, Vice-Chair, Carol Griffin, David Cappello (arrived 7:35pm), Marianne Clark, and Alternates Elaine Primeau and Donald Bonner. Absent were Christian Gackstatter, Peter Mahoney and Alternate Jenna Ryan. Mrs. Primeau and Mr. Bonner sat for the meeting. Also present was Steven Kushner, Director of Planning and Community Development.

Mr. Starr called the meeting to order at 7:30pm.

PUBLIC HEARING

App. #4643 - Sunlight Construction, Inc., owner/applicant, request for 5-lot subdivision, 7.23 acres, 45 Sunrise Drive, Parcel 4190045, in an R40 Zone

Present were Attorney Robert M. Meyers, representing Sunlight Construction; Bill Ferrigno, Sunlight Construction, owner; and Bill Aston, PE, Buck & Buck LLC.

Mr. Meyers explained that the only significant change to the plan since the last meeting is the extension of the cul-de-sac to the property line; the cul-de-sac is now shown as temporary, in response to comments from the Commission. He noted that a couple of lot lines have been tweaked but the number of lots has not changed and the potential remains for a resubdivision of one of the lots. The applicant is aware of the comments from both the Town Engineer and the FVHD and expects that those comments will be made conditions if an approval is granted.

In response to Mr. Starr's question, Mr. Meyers explained that it is his understanding that because the proposed cul-de-sac is now temporary in nature that no waiver would be required under the Regulations. Mr. Starr noted his understanding. Mr. Kushner added that although the Regulations may not be clear, if there is some expectation that a road can be extended the number of lots is automatically waived.

In response to Mrs. Primeau's question, Mr. Aston explained that he selected the proposed cul-de-sac location as he thought it was best; he noted that the Town Engineer did not comment on it and added that the area is very level and the topography doesn't change much on the adjacent property owned by Candels.

Mr. Kushner noted that there are wetlands on the adjacent parcel owned by Candels and asked if the road could be extended if all the pieces could come together. Mr. Aston explained that the wetlands exist around the brook and added that there is ample room to turn the road or tweak it to get across the wetlands in a smaller spot.

Mr. Meyers noted that the ultimate goal would be to get to Route 167 (West Avon Road). Mr. Starr concurred.

Ms. Keith commented that the cul-de-sac connection could possibly be made into a T-junction at some point in the future to allow a connection in both directions to help overall circulation for everyone. Mr. Meyers agreed.

In response to Mr. Bonner's question about 15 Aspenwood, Mr. Meyers explained that it is a double-sized lot and while it is possible that someone would want to build an estate there, it is the applicant's intention to come back with a request for a resubdivision at some future date.

Mr. Kushner explained that 15 Aspenwood is not divided into another lot at this point in time because another lot would not meet the density requirement for the proposed subdivision.

In response to Mrs. Clark's question, Mr. Meyers explained that lots sell much better if the area is not clear cut. Mr. Ferrigno indicated that clearing would be done for the road but, normally, all the lots are not cleared ahead of time to allow for custom construction requests.

There being no further input, the public hearing for App. #4643 was closed, as well as the entire public hearing.

PLANNING AND ZONING COMMISSION MEETING

Mrs. Primeau motioned to waive Administrative Procedure #6 and consider App. #4643. Mrs. Griffin seconded the motion that received unanimous approval.

App. #4643 - Sunlight Construction, Inc., owner/applicant, request for 5-lot subdivision, 7.23 acres, 45 Sunrise Drive, Parcel 4190045, in an R40 Zone

Mrs. Griffin motioned to approve App. #4643 subject to the following conditions.

1. The Town Engineer's comments, dated January 14, 2013, and January 29, 2013, shall be satisfied/complied with.
2. The Farmington Valley Health District's comments, dated January 15, 2013, and January 29, 2013, shall be satisfied/complied with.

The motion, seconded by Mrs. Clark, received unanimous approval.

NEW APPLICATION

App. #4647 - ACOP, LLC, owner/applicant, request for Site Plan Approval for minor building expansion (west side), 43 West Main Street, Parcel 4540043 in a CS Zone

Mr. Kushner presented on behalf of Tom Francoline, who could not be present. He noted that in the last few months the Commission approved a small building addition (400 SF) to the opposite side of the subject building; the proposed addition is approximately 200 SF on the west side of the building. The parking standards have been satisfied for both additions and traffic circulation is not affected.

Mrs. Primeau motioned to approve App. #4647. The motion, seconded by Mrs. Clark, received unanimous approval.

OTHER BUSINESS

Rock Crushing ó Phase 3b Weatherstone Subdivision ó App. #4304M

Ted Merchant, PE, Toll Brothers, was present.

Mr. Merchant explained that the requested rock crushing is slightly more volume than the last request but is located further away from the existing houses in the subdivision. He commented that 6 weeks in total is being requested but noted that probably only 4 weeks of actual work would occur.

In response to Mr. Starr's question, Mr. Merchant confirmed that no material will be removed from the site; the material will either be used for the road or as fill material.

After some discussion by the Commission, it was decided that the hours of operation are from 8am to 5pm, Monday through Friday. Mr. Merchant was agreeable.

Ms. Keith asked that the rock crushing not be constant to give the neighbors a reprieve from the noise. Mr. Merchant acknowledged his understanding but indicated that taking breaks will result in a longer process.

Mr. Kushner commented that the hammering of the rocks into smaller pieces is almost more annoying to neighbors than the crushing. Mr. Merchant noted his understanding and explained that it is not cost efficient to hammer rocks into smaller pieces and further explained that the preferable method is to break the rocks into smaller pieces during blasting. He noted that there is surface rock that needs to be broken up and the objective is to make the blasted material as small as possible. Mr. Kushner commented that the rock will be broken up at the location it is being excavated and then material will be transported to the crusher in smaller pieces. Mr. Merchant explained that all the boulders will probably get transported to the crushing area and get broken up there.

Mr. Bonner asked if complaints are received by the Town during crushing operations; he noted his understanding that it's part of the business and added that he can hear it from his house.

Mr. Kushner indicated that the largest number of complaints he has received were during the Kings Wood of Avon Subdivision (located just to the north of the subject site) due to the large volume of rock needing to be crushed; it went on sporadically for years.

Ms. Keith noted that you could hear the rock crushing from Kings Wood in Burlington.

Mr. Starr commented that the alternative of taking the material off site to crush results in a lot of truck traffic; trucks back and forth.

In response to comments from the Commission, Mr. Merchant noted that there is no way to muffle the sounds from the hammering operation. He indicated that he doesn't think it's feasible

to build any type of containment area around the hammering area and, in addition, it could possibly make the sounds/noise worse.

Mr. Starr confirmed that the rock crushing period is permitted for a total of 6 weeks from the day it starts and within that 6-week period the crushing will take place during a 4-week period.

Mr. Merchant concurred.

Mrs. Primeau asked whether all the rock is gone during crushing or whether some is left and is the rock that is being crushed ledge. Mr. Merchant explained that all of the rock in the areas where work is needed will be gone; some of the rock is ledge, some is surface boulders, and some is large boulders still in the ground. He indicated that all the rock will be made into material that is usable as a fill or as road base.

In response to Mrs. Primeau's concerns about radon, Mr. Kushner noted that radon is a gas located in the ground that penetrates up through rock but is not trapped in rock; blasting rock should have no effect on the release of radon. Mr. Starr explained that radon is only a problem when it is contained within the basement of a house; rock crushing is out in the open.

Mr. Cappello motioned to approve rock crushing for a 6-week period Monday through Friday from 8am to 5pm. The motion, seconded by Mrs. Clark, received unanimous approval.

STAFF COMMENTS

Letters of Support ó Bicycle Sharrows and Proposed Bicycle Sharrow Locations

Mr. Kushner explained that "sharrows" are white painted markings on the road; there are some in Canton, West Hartford and Simsbury. Sharrows are not designated bike lanes but rather are markings intended to alert vehicles that there may be bicycles that need to share the road. He indicated that the road network in Avon has been studied looking for roads that have modest to low traffic; have sufficient width with modest speed posting; and roads that might provide good connections to important places in Town. Rails to Trails run north to south in Town and is used by a lot of people so it seems like a good starting point; schools are a good destination point. Mr. Kushner explained that the Staff feels Scoville Road would be a good road to begin with; it connects to West Avon Road where there is a sidewalk system. He communicated that some of the Commission members appear skeptical about marking Scoville Road and confirmed his agreement that it is difficult to find the perfect road. He noted that the Staff feels that Scoville Road is sufficiently wide and has a modest amount of traffic, in comparison to Country Club Road which has a tricky curve near Rails to Trails and carries a higher volume of traffic. He explained that there are currently no funds in the budget for this project and noted that there is no guarantee that funds will be approved for the next budget (Public Works Department has requested \$10,000 and the amount has been reduced to \$2,000). He noted that if next year's budget contains only \$2,000 that possibly Scoville and Burnham Roads would be marked.

Mrs. Griffin asked how wide the roads are that are planned for the sharrow markings and how much width is needed for two cars to pass each other and what area remains for the sharrows.

Mr. Kushner explained that a sharrows is not a dedicated bicycle lane. Mrs. Griffin commented that there has to be enough room for cars to pass each other with a bicycle there also; she added that she would never want to see anyone hit while riding a bicycle on the road. She noted that if the roads are wide enough it's a great idea but working with narrow, old roads doesn't seem like a smart idea.

Mr. Bonner stated that he doesn't like this project. He noted that there is a rise on a portion of Burnham Road that creates a blind area. He inquired about bicycle signs on the roads and conveyed his concern for the safety of children.

Mr. Kushner explained that the project will include pavement markings and signage. He acknowledged the Commission's concerns and noted that the Town Engineer and Chief of Police have been studying the idea and there are design standards that will be complied with. Emails noting support of the project have been received from some residents. Mr. Kushner commented that in the last 5 years there are many more people on bicycles than in the past. He commented that bicycling on the roads appears to be a trend that will continue and asked whether pavement markings seem like an appropriate consideration in an attempt to educate and alert motorists that there may be bicycles sharing the road with them; there is no perfect solution. He noted that the Staff has been discussing this project and have pointed out, considering an alternate perspective, that pavement markings may send a message to the public that these roads are reasonably safe places for bicycles which, in turn, could increase the bicycle traffic. He added that bicycles are not going away and the hope is that everyone will use common sense and exercise good judgment. Mr. Kushner reiterated his understanding of the Commission's concerns and noted that discussions relating to this project will be ongoing, as the Town Council has not yet made a final decision on whether to move forward or not.

Ms. Keith referenced bicycle signage that she has noticed in her travels (i.e., caution, blind area) and asked if those types of signs are being considered.

Mr. Kushner explained that there are recommended standards in the MUTCD (Manual on Uniform Traffic Control Devices) for bicycle sharrows and signage that the Town intends to adhere to. He added that, currently, there is not a lot of literature on how to mark and place the signs, as the concept is relatively new. He noted that the Staff met with the Town of Simsbury recently regarding this project. Simsbury has a 17-mile area marked with sharrows that was done under the direction of the Town Engineer (civil engineer); the markings are spread quite far apart. Mr. Kushner stressed that this is a demonstration project because it may be discovered that twice as many markings are needed and/ or that certain roads don't make sense; it is not known at this time how it will play out.

Ms. Keith indicated that she feels the markings are an advantage if done properly and asked why Hollister Road is not being considered. Mrs. Primeau agreed.

Mr. Kushner explained that the thought is to get people coming off Rails to Trails but noted that Hollister Road could certainly be considered, possibly for the second phase of the project if it takes off.

Mrs. Primeau asked if Scoville and Burnham Roads are as wide as they can be; does Avon own any excess land off the road.

Mr. Kushner explained that even if the roads could be widened the cost would far surpass the allocated budget for this project.

In response to Mrs. Griffin's question, Mr. Kushner explained that markings for the center of the road do not change/move if sharrows are painted on the road. The center lines stay where they are and sharrows are painted on both sides of the road but the general recommendation is that the part of the sharrow that would be located closest to the centerline be 48 inches from the gutter line on the road edge. He noted that the sharrow markings are not placed at the very edge of the road, which is where all bicyclists should be riding; he added that education for both the motorists and the cyclists is going to be necessary.

Mrs. Clark commented that she has seen sharrow markings on roads in other states and it appears to make drivers slow down.

Mr. Bonner commented that some type of education/instruction is going to be necessary if this project is implemented; he added that there are private funds available from certain non-profit organizations.

Ms. Keith noted her agreement with Mr. Bonner that education relative to this project is very important.

In response to Mr. Cappello's question, Mr. Kushner noted that he doesn't know how wide Scoville Road is but will find out. He added that once a plan for pavement markings is prepared he will share it with the Commission prior to any work being done.

Mrs. Griffin suggested that only one road be marked to start with to see how it goes.

Mr. Starr communicated his agreement with Mrs. Griffin that only one road should be marked to begin with and, in addition, that one year go by before marking any other roads.

Mrs. Primeau conveyed her opinion that she doesn't think Burnham Road is a good road for markings as there are a lot of blind areas; it's an old road that is not well built.

Mr. Kushner asked if the Commission feels that Scoville Road is the best choice to start with. The Commission agreed that Scoville Road was best choice.

Mr. Cappello suggested that maybe it would be a good idea to paint sharrows only on one side of the road; he added that maybe the best solution is to do nothing, no sharrow markings at all. He noted that he sees sharrows in Canton where the Rails to Trails crosses certain roads.

There being no further business, the meeting adjourned at 8:15pm.

Respectfully submitted,

Linda Sadlon, Clerk

LEGAL NOTICE
TOWN OF AVON

At a meeting held on January 29, 2013, the Planning and Zoning Commission of the Town of Avon voted as follows:

App. #4643 Sunlight Construction, Inc., owner/applicant, request for 5-lot subdivision, 7.23 acres, 45 Sunrise Drive, Parcel 4190045, in an R40 Zone **APPROVED WITH CONDITIONS**

App. #4647 ACOP, LLC, owner/applicant, request for Site Plan Approval for minor building expansion (west side), 43 West Main Street, Parcel 4540043 in a CS Zone **APPROVED**

Dated at Avon this 30th day of January, 2013. Copy of this notice is on file in the Office of the Town Clerk, Avon Town Hall.

PLANNING AND ZONING COMMISSION
Duane Starr, Chair
Linda Keith, Vice-Chair

LEGAL NOTICE
TOWN OF AVON

The Planning and Zoning Commission of the Town of Avon will hold a Public Hearing on Tuesday, February 26, 2013, at 7:30 P.M. at Company #1 Firehouse, 25 Darling Drive, in Avon:

App. #4648 - Donald and Pamela Battiston, owners, Beloved Companions LLC, applicant, request for Special Exception under Section VI.C.3.d of Avon Zoning Regulations to permit pet family/funeral center, 369 West Main Street, Parcel 4540369, in a CR Zone

App. #4649 - Craig and Nancy Nation, owners/applicants, request for 2-lot subdivision modification, 3.43 acres, 71 and 75 Old Wood Road, Parcels 3420071 and 3420075, in an R40 Zone

App. #4651 - Avon Business Park, LLC, owner, Cross-Fit Avon, applicant, request for Special Exception under Section VI.H.3.k. of Avon Zoning Regulations to permit cross-fit gym, 15 Industrial Drive, Parcel 2870015, in an I Zone

App. #4652 - Proposed Amendment to 2006 Plan of Conservation and Development pertaining to Chapter 5, Open Space & Recreation; Town of Avon, applicant

All interested persons may appear and be heard and written communications will be received. Applications are available for inspection in Planning and Community Development at the Avon Town Hall. Dated at Avon this 11th day of February, 2013.

PLANNING AND ZONING COMMISSION
Duane Starr, Chair
Linda Keith, Vice-Chair