

The Planning and Zoning Commission of the Town of Avon held a regular hybrid meeting on Tuesday, March 10, 2026. Present were Lisa Levin (in person, sat) Chair, Christine Graesser (in person, sat), Chris White (in person, sat), Robin Baran (in person, sat) Vice Chair, Joseph Gentile (in person, sat), Peter Mahoney (virtual, sat), Jamie DiPace (virtual, sat), Alternate Clay Stevenson (in person, did not sit), Alternate Randall Bowers (virtual, did not sit), Alternate Mardelle Pena (virtual, did not sit). Also present (virtually) was Hiram Peck, Director of Planning and Community Development.

The meeting was called to order at 7pm.

Meeting Minutes

Mr. White motioned to approve the minutes of the February 10 meeting, as amended by Ms. Levin (add date Jan. 21, 2026, to Ms. Graesser's comments). The motion, seconded by Ms. Baran, received approval from White, Baran, Mahoney, DiPace, Gentile, Levin. Ms. Graesser abstained.

OUTSTANDING APPLICATIONS

App. #5079 - Red House Homes, LLC, owner/applicant, request for 4-lot Subdivision, 5.75 acres, 41 Verville Road, Parcel 4430041, in R15 and R30 Zones

App. #5080 - Red House Homes, LLC, owner/applicant, request for Special Permit under Sections 5.12 and 7.1.C. of Avon Zoning Regulations for three rear lots, 41 Verville Road, Parcel 4430041, in R15 and R30 Zones

Ms. Levin addressed the open space requirement (10% of developable land), noting that the applicant indicated at the last meeting that they do not wish to dedicate land and would rather pay a fee in lieu in the amount of \$26K based on the submitted appraisal. The applicant had also asked if a parcel of land (8.5 acres) previously donated to the Avon Land Trust in 2022 could satisfy the open space requirement.

Mr. Mahoney said that because this site is small a set aside land donation is not a good idea, as we would end up with a very small piece of land that would be useless.

Ms. Levin said that 10% land dedication would equal about ½ of an acre (site contains 5.75 acres).

Ms. Graesser noted that she served on the Avon Land Trust for many years adding that this type of land donation is not valuable because it would likely be land locked and not represent a significant preservation of open space that could be used and enjoyed by the public. She noted her understanding that the Town has encouraged fee in lieu donations in recent years to the open space fund to enable the Town to purchase a valuable piece of land as open space.

Mr. Mahoney noted his agreement with Ms. Graesser's comments. He added that while he has been on this Commission there have been only two land set asides and the rest were fee in lieu, especially for small subdivisions.

In response to Ms. Baran, Ms. Graesser noted that if a land donation set aside was decided for this application, the land would likely go the Town (not the Land Trust) but the Town would probably not want it.

In response to Ms. Levin, Mr. Peck explained that the Town would take title to the land donation set aside – the Town would be responsible for any maintenance of the land. He further explained that if a 10% land donation is required by the Commission in this instance, all the lots would need to be reconfigured and a new survey done. Adjustments would need to be made to the existing map set. The current proposal and applications/maps could not support a 10% land dedication.

Mr. Gentile said that open space development has been important to the Town, per the POCD, adding that he hopes it stays that way. A 10% land donation in connection with the subject application may provide a buffer to the neighbors and appease some of their concerns. He said he's not sure whether cash going into a fund that is sitting there and not being used serves the Town well. He said is for requiring open space land.

Ms. Baran noted her agreement with Mr. Gentile.

Mr. Mahoney said that the Town has never gotten a land donation set aside on a piece of land this small. It is better to continue to build the open space fund to be able to buy in the future a meaningful piece of open space for the Town.

Ms. Levin said it is hard to escape the strong language in the POCD for open space – for this application we are looking at general aesthetics and compatibility with the existing neighborhood. There are 22 existing houses on the street, which is narrow. The public safety issues have been addressed but the subject proposal seems very aggressive and an intense use of the land that is not consistent with the POCD. It is hard to continue to argue that we should contribute to an open space fund that is not being used to buy land in Town.

Mr. Peck explained that the purpose of open space is to provide open space – there are other open space parcels near the subject site. Plantings next to the driveway have been proposed by the applicant. The decision on open space is up to the Commission but he noted that he is not sure that requiring open space to function as a buffer has ever been done before.

Mr. White said the issue of the open space fund not being spent is up to the Town Council, not this Commission, but added his support for adding to the fund. He said it makes no sense to require open space land for this application as it would be a small useless strip of treed land that the Town would now be responsible to maintain.

Mr. DiPace noted his agreement with Mr. Mahoney – having a small piece of open space in this instance is not beneficial and only adds liability to the Town.

In response to Ms. Baran, Mr. Peck confirmed that the Town would own and be responsible to maintain any open space donated in connection with this application.

Mrs. Graesser said that it would be a dangerous precedent for the Commission to establish that buffers satisfy the purpose of open space. Open space is acknowledged to be valuable to a town because it provides a place where nature can thrive and wildlife can pass through and people can enjoy both in an outdoor space. Requiring open space land dedication in this instance would require redrawing of all the maps and another application submission and public hearing. She noted her preference to receive fee in lieu funds, adding that if we have an issue with the existing open space fund that is a conversation to be had with the Town Council.

Ms. Baran read from Chapter 5 of the POCD....*preservation of open space directly contributes to public safety and environmental protection. We have heard concerns for flooding and wells from residents/neighbors adjacent to this site. She read more from the POCD....by preserving assets that mitigate damage from flooding and have the ability to filter pollutants dissolved or suspended in stormwater runoff.* She also pointed out that the preservation of open space results in positive fiscal impacts.

Mr. Peck explained that stormwater from the subject site does not flow or slope towards the existing houses – it all flows down the hill towards a large swath of open land. Flooding concerns have been closely looked at by both the applicant and Town Staff – flooding is not an issue.

Ms. Levin said that the Regulation was not followed with respect to open space (both the applicant and Commission are supposed to jointly appoint the appraiser – that did not happen). She learned of the receipt of the appraisal and proposed \$26K fee in lieu an hour before the February 10 meeting and that is what would be voted on tonight. The Commission was supposed to have been, by law, presented with options for appraisers and this is one reason she is opposed to the fee in lieu. This would also set a precedent for creating subdivisions that would be better suited in other parts of Town. The proposed development is a very intense use that is going to be very obstructive and change things for the neighbors – it's not compatible with the neighborhood.

Mr. Peck reported that he spent a lot of time with the applicant to find the certified appraiser who produced the subject appraisal. He noted that he also spoke with the Town Assessor and others relative to land value. Town Staff spent a lot of time getting the subject appraisal in place. If the Commission doesn't like this appraiser and has information for another appraiser that they would like to recommend for future applications that is fine but the subject appraisal is valid. He clarified/confirmed that he is not advocating either for or against the proposed development.

Mr. Gentile noted his disagreement with Ms. Graesser's comments on open space size, buffer, and public access. He read from the POCD...*Preservation of adequate amounts of open space helps to retain a positive connection with Avon's more rural past, helps establish community character, and permits residents to maintain a relationship with the natural environment.* There is no reference to size or public access so his opinion is such that it is an area that could be considered a buffer.

Ms. Graesser indicated that we have had many other developments in Town that are similar that have been built in open space adding that we need to be fair to the applicant in terms of being consistent with what has been approved in the past. We also need to be clear on the basis on which we might reject this proposal.

Ms. Baran disagreed noting that it's her job on this Commission to look at each application individually – she referenced Sec 7.C. under Special Permits (Zoning Regulations) noting the reasons that this is not suitable for a subdivision – a) suitable location – this proposal is not in harmony with the orderly development of the area; c) neighborhood compatibility – the proposal will alter the essential characteristics of the area; e) adequate streets for use – the tiny street of Verville Road does not have capacity for additional traffic; h) environmental protection and conservation – the proposal has not provided for the conservation of natural features and protection of the environment. For these reasons applications 5079 and 5080 do not meet the Special Permit Regulations.

Mr. Mahoney motioned to approve Apps #5079 and #5080 subject to the following:

1. The Commission made a finding that both Apps #5079 and #5080 meet and satisfy all requirements of the applicable sections of the Regulations.
2. The applicant shall submit a fee in lieu of open space land dedication totaling \$26,000 (via bank check payable to "Town of Avon") to the Planning Department. This fee, based on the submitted appraisal, shall be provided prior to the issuance of any building or zoning permits for any of the three rear lots. The record/filing mylars shall clearly note this requirement. This fee may be provided in whole (lump sum) or in parts as lots are sold or developed.
3. Driveways shall be constructed as approved by the Fire Marshal, Town Engineer, and Planning Staff to ensure that they are created in the best possible manner to provide emergency services access.
4. All requirements/standards of the Town Engineering Department and WPCA shall be met and compliance demonstrated, including all proper connections to the sewer system.
5. All requirements/standards of the Farmington Valley Health District (FVHD) shall be met and compliance demonstrated including location and drilling of wells.
6. A shared driveway shall have a deeded right of access and appropriate maintenance requirements. A shared driveway maintenance agreement shall be provided to the Planning Director for review and

approval, prior to recording on the Land Records. Such agreement shall be filed on the Land Records simultaneously with the subdivision filing mylars.

7. Landscaping, as represented/shown on the approved plans, shall be installed prior to the issuance of any Certificate of Occupancy (C/O). If landscaping has not been installed, all landscaping shall be properly cash bonded at an amount determined by the Director of Planning. The bond shall remain in place until all landscaping has been installed and survives at least one growing season.
8. All stormwater drainage shall be designed and constructed so as to not impact abutting residential properties. This note shall be shown on the record/filing mylars.
9. All record/filing mylars shall be submitted to the Planning Department for review and approval prior to any filing on the Land Records.

The motion seconded by Ms. Graesser, received approval from Mahoney, Graesser, White, DiPace. Voting in opposition of approval were Levin, Baran, Gentile.

OTHER BUSINESS

8-24 Referral - Request for Addition to Existing Public Works Facility and Addition of a Storage Building

Bruce Williams, Director of Public Works, was present virtually.

Mr. Peck explained that two additions to the existing facility are proposed – one addition is a storage garage to be located behind the existing building – the other addition is to the existing office building on site.

Mr. Williams explained that the proposed storage garage building has overhead doors and will be located on the southeast side to the rear of the site – the building is 60 feet deep x 72 feet wide. This building will house all winter equipment that is currently housed/staged in outdoor areas on the site. During winter months, mowers and large equipment (excavators, etc.) will be stored in the storage garage (these items are currently stored outside on the site). All this equipment is very expensive – storing it while not in use should allow for the longest life possible. He noted that these items have been on the CIP schedule for 3-4 years and a State Grant was applied for and received. He explained that RFPs will go out tomorrow – written proposals ranging from 127K\$ to 260K\$ have been received.

Ms. Graesser motioned to accept the 8-24 Referral request for a building addition and new storage building at the Public Works Facility noting that it is not in conflict with the 2016 POCD. The motion seconded by Mr. White received approval from Graesser, White, Baran, Mahoney, DiPace, Gentile, Levin.

STAFF UPDATES

Affordable Housing Task Force

Mr. Peck reported that while there is no formal update, the Charge for the AHTF has been revised/updated to conform to the changes in the legislation.

CRCOG

Ms. Levin noted that she and Mr. Gentile received materials (Recap) at today's CRCOG meeting in connection with changes that will be needed to Avon's Regulations as a result of legislative changes. She noted that she will forward the slide presentation provided by CRCOG.

Mr. Peck explained that because there is so much information out there in connection with the legislative changes that there is also a lot of uncertainty at how everything will be implemented. He noted that he believes Commissioners could attend tomorrow's workshop on housing legislation to be presented by Halloran & Sage.

There being no further business, the meeting adjourned at 8pm. Avon Planning and Community Development