Present: Chairman Barry Berson, Commissioner Byron Lester, Commissioner Steve Millette, Commissioner Abraham Ford, Jr., Commissioner Joslyn Chance, Commissioner Dan Mara, Commissioner Dwight Bolton, Commissioner Michele Adams and Commissioner Katie Blint.

Also Present: Director of Planning & Economic Development, Mr. José Giner.

1. Call to Order: Chairman Barry Berson called the meeting to order at 7:00 p.m.

2. Roll Call: A quorum was established with 9 members present.

3. Approval of 12/19/19 Minutes:

   Commissioner Lester made a motion to approve the 12/19/19 Minutes and Commissioner Bolton seconded the motion. The Commission voted unanimously to approve the 12/19/19 Minutes.

4. Site Plan Approval - None:

5. Public Hearings:

   a. Request by Naro Family Limited Partnership (owner: RBS Realty Enterprise LLC & Robert Schwartz) for a Special Permit under Section 4.1.D.4 for a change of use to a restaurant and office or medical office at 5-9 Tunxis Avenue, BCD zone (continue from 11/21/19). Applicant has requested an extension and continuance until February 27, 2020 meeting.

   Letter dated 12/10/19 received from the above Applicant requesting an extension/table/continued until the February 27, 2020 TPZ Meeting

   Commissioner Lester read the legal notice from the Hartford Courant for the Request by Zelman Real Estate for a Text Amendment to the Zoning Regulations to Section 7.15 for various changes concerning multi-family dwelling units in the Professional Office District (POD), including eliminating the maximum number of dwelling units in a building and allowing up to 4 stories with 60’ as the maximum height along with various procedural requirements.

   b. Request by Zelman Real Estate for a Text Amendment to the Zoning Regulations to Section 7.15 for various changes concerning multi-family dwelling units in the Professional Office District (POD), including eliminating the maximum number of dwelling units in a building and allowing up to 4 stories with 60’ as the maximum height along with various procedural requirements.

   Mr. Giner distributed a Conflict of Interest Letter to the Commissioners. It was determined that there were no Conflicts of Interest.

   Mr. David Ziaks, P.E., F.A. Hesketh & Associates, 3 Creamery Brook, East Granby, CT was the representative of this request. Mr. Ziaks summarized the proposed zoning text amendments dated 12/19/19 as follows:

   a) Revise Section 7.15.B: In the chart, the Maximum Dwelling Units Per Building under POD shall be revised from 40 to N/A.

   b) Add a Section 7.15.D.4: The Commission may allow buildings up to 4 stories with 60 ft., as the maximum height.

   c) Add a Section 7.15.D.5: The number and dimensions of on-site residential parking spaces shall conform to Section 6.2.D.1, except that only one parking spaces is required for each studio dwelling unit of 650 square feet or less.
d) Add a Section 7.15.D.6: The Commission may allow on-site designated Open Space or Conservation Area to meet the Minimum Landscaped Area requirement.

e) Add a Section 7.15.D.7: Master Plan.

1. The purpose of the Master Plan submission is to determine whether the proposed uses and layout conform to Section 7.15 and to the Plan of Conservation and Development. The Master Plan, once adopted, shall establish the dimensional characteristics and uses of the proposed project.

2. Changes to the Master Plan.

   a) Any modifications to dimensional elements in Master Plan shall follow the Special Permit Application Procedures in Section 9.5.

   b) Any modifications to the use elements in the Master Plan shall follow the Zoning Map Amendment Procedures in Section 9.7.

   f) As part of, or after Master Plan approves for districts established after August 15, 2009 an application for a site plan must be submitted for approval.

Chair Berson asked for Mr. Giner’s input into this matter.

Mr. Giner referred back to his January 15, 2020 Memorandum to the TPZ Commission. As per Mr. Giner, a previous applicant had applied for a text amendment to allow multi-family units in the Professional Office District under specific conditions. One of the conditions was that the maximum number of units per building would be limited to 40 units. The primary justification for that limitation was that the developers only wanted to create 38 units. Mr. Giner stated that the applicants are applying to remove the limitation on the number of units per building that are allowed in the POD so that they may be able to accommodate their density in a more compact footprint. The applicants are also looking to add a Section that would allow the building height to be up to four (4) stories with 60’ being the maximum height.

The proposal would also allow, with the Commission approval, studio units of 650 square feet or less to provide one parking space instead of the 1.5 per unit required of all other units. Under the proposal a development would also be able to use on-site designated Open Spaces or Conservation Areas to meet the minimum Landscape Area requirement.

The proposed amendment would also require any proposed development to submit a Master Plan and site plan for the Commission’s approval.

Mr. Giner stated that the proposed text change presents no apparent conflicts with the 2012 Bloomfield Plan of Conservation and Development (POCD).

Public Question: None

Commission Questions:

Commissioner Chance asked if they are looking to increase studio units, if so how many. Mr. Ziaks stated the numbers are not available at this time.

Commissioner Adams asked if the applicant was asking to remove the restrictions? Mr. Ziaks answered yes. He stated they are looking for more flexibility.

Commissioner Mara asked did they want it to say non applicable. Mr. Ziaks stated yes or it may state a different language but accomplish the same results. Commissioner Mara further asked, do you want the height to be 60’ with a special permit application or amendment? Mr. Ziaks stated yes. Commissioner Mara asked if future amendments have to be made are the applicant ok with changes? Mr. Ziaks stated yes.

Mr. Ziaks answered all questions satisfactorily for the Commission. He also stated that times have changed and studio apartments are becoming more popular these days.

Public Comments: None

Commission Comments: None
Commissioner Lester made a motion to close the Public Hearing for Request by Zelman Real Estate for a Text Amendment to the Zoning Regulations to Section 7.15 for various changes concerning multi-family dwelling units in the Professional Office District (POD), including eliminating the maximum number of dwelling units in a building and allowing up to 4 stories with 60’ as the maximum height along with various procedural requirements. Commissioner Bolton seconded the motion and the Commission voted unanimously to close the Public Hearing.

Commissioner Mara made a motion to approve the Request by Zelman Real Estate for a Text Amendment to the Zoning Regulations to Section 7.15 for various changes concerning multi-family dwelling units in the Professional Office District (POD), including eliminating the maximum number of dwelling units in a building and allowing up to 4 stories with 60’ as the maximum height along with various procedural requirements with the TPZ and the Town Staff’s recommendation, conditions with an effective date of February 10, 2020. Commissioner Bolton seconded the motion and the Commission voted unanimously to approve the Request with an effective date of February 10, 2020.

6. Old Business:

a. Request for determination of no increase in non-conforming use for proposed change of use at 1124 Blue Hills Avenue (a.k.a. The Filling Station).

Ms. Leola Jean McCrorey, (Owner) located at 1173 Palisado Ave, Windsor, CT was the representative in this matter. The property in question is located at 1124 Blue Hills Ave, Bloomfield. Ms. McCrorey informed the Commission that she is interested in opening two small businesses within the building located at the above address. The smaller office attached to the larger garage would be a business selling coffee, bagels and muffins. Its hours of operation would be Monday through Friday from 7:00 a.m., until 6:00 p.m. Saturday and Sunday from 10:00 a.m., until 10:30 p.m. The name of the business would be “The Sankofa Art Gallery/Café.”

The two larger garage facilities were used in the past as an auto repairs shop and storage. She would like to turn it into an art gallery and display art. Ms. McCrorey also purchased the property beside the above property. She had plans to eventually build a two story residential home on the additional property. Ms. McCrorey would like to create fifteen (15) parking spaces on the adjacent property before creating the residential home.

Ms. McCrorey asked the Commission to approve the above property use.

Chair Berson asked for Mr. Giner’s input into this matter.

Mr. Giner stated that the property was located in a Residential zoning district. He said that the former gas service station had been approved for a coffee shop years ago. An Art Gallery would be limited by the available parking. He stated that it was not within the Commissions jurisdiction to approve parking in the residentially zoned adjacent property. It was his opinion that Ms. McCrorey would require a variance from the Zoning Board of Appeals to be able to utilize the adjacent property for anything connected to the business use. Ms. McCrorey interjected stating the additional property she purchased is zoned for residential use and is allotted fifteen (15) parking spaces. She would like to use the fifteen (15) parking spaces before building the two story residence. She asked if she could use them now? Mr. Giner stated Ms. McCrorey would have to go through the proper channel to receive a change of use.

Commission Questions:

Commissioner Ford asked if it could be reconfigured to place parking in the back? Mr. Giner stated to reconfigure parking she would have to go before the IWW Commission and an engineer to figure it out. He also stated it is a non-conforming use which cannot be increased.

Chair Berson asked if Ms. McCrorey is doing business now? Ms. McCrorey stated yes and she has artist coming in to show their art. Mr. Giner stated the café is approved but the art gallery is not approved.

Commissioner Mara made a motion to approve the Request for determination of no increase in non-conforming use for proposed change of use at 1124 Blue Hills Avenue (a.k.a. The Filling Station). Also no approval on additional property, the property is to be
used for what it was originally approved to be used as years ago. Commissioner Ford seconded the motion and the Commission unanimously voted to keep the property with the original approval and not to approve the request for additional parking.

b. Request for determination of no increase in non-conforming use for proposed change of use at Maple Hill Farm, 12 Burr Rd.

Mr. Adam DeJulius, Chief Operating Officer, Miller Foods, Inc., 308 Arch Rd, Avon, CT 06001, was the representative in this matter. He stated, the property in question is Maple Hill Farm, located at 12 Burr Road, Bloomfield.

The request is for a finding that the proposed use of the premises at 12 Burr Rd, Bloomfield, is equally or more appropriate than the existing non-confirming use. The existing owners and operators of Maple Hill Farms, Inc., are a third (3rd) generation family owned dairy and ice cream distributor. They also operate a small retail seasonal ice cream shop at the location. They are retiring, dissolving the distribution business and will no longer have an active use for most of the buildings on the property. But they will continue to operate the seasonal ice cream shop.

Miller Foods, Inc, at 308 Arch Rd., Avon is a fourth (4th) generation family owned food distributor and pet food manufacturer. Miller Foods has experienced growth in its pet food business under the brand “Oma’s Pride” over the last 20 years with recent expansion to a new e-commerce distribution facility of +10,000 sq ft in Bristol, CT. All pet food manufacturing and wholesale distribution continues to take place in Avon. The two businesses share a deep heritage and a strong relationship, founded separately by Miller cousins in the 1950s. They have continuously doing business together over the last 60+ years.

Miller Foods is in need of expanded production capacity, primarily freezer and packaging space. They are actively looking for an additional location. Maple Hill Farms in Bloomfield’s physical unused space fits the unique needs of both sides of the family. It would allow Miller Foods to occupy only the Main Building on the property, excluding the seasonal ice cream shop. It would be for a relatively short lease period and for light manufacturing of pet food. Maple Farms will continue to operate the seasonal retail ice cream space only and retain ownership and use of the remainder of the property.

The Commission was given operational details, floor plan supplements, division of space, use and terms, nature of Miller Foods Operations, facility updates, vehicle traffic and personnel details.

He concluded by stating that this allows Miller Foods to continue their successful growth as a Connecticut manufacturer and to build their employee base in the Town of Bloomfield. It also affords Maple Hill Farms the opportunity to continue their tradition of servicing the community through the seasonal ice cream shop, to appropriately wind down the business and plan for the future best fit of the physical property. The building, as established, will require very little work to meet the operating needs of Miller Foods. The light manufacturing process is clean and does not pose a risk to the environment or property. He stated that the truck traffic, employee count and hours will be reduced or be maintained per the status quo.

Chair Berson asked for Mr. Giner’s input on the matter. Mr. Giner stated Mr. DeJulius explained the request extremely well. Mr. Giner reiterated the above documentation. Mr. DeJulius mother stated their seventh (70th) anniversary was held in the Avon office. She appreciates the caring nature to the community of Bloomfield that the TPZ Commission and Mr. Giner demonstrated. She thanked the group for all of their help in this matter concerning their family businesses.

Commission Question:

Commission Bolton asked how long is the temporary use? Mr. DeJulius stated it will be eighteen (18) to thirty-six (36) months.

Commission Blint asked will there be expansions on the property? Mr. DeJulius stated yes in the future.
Commissioner Mara made a motion to approve the Request for determination of no increase in non-conforming use for proposed change of use at Maple Hill Farm, 12 Burr Rd with the letter dated 1/20/20 to the Town of Bloomfield and all recommendations from the Commission and Town Staff. Commissioner Lester seconded the motion and the Commission voted unanimously to approve the Request.

7. Planner’s Report:

   a. Project Updates:

   Mr. Giner gave an update on the projects in the Town of Bloomfield. He informed the TPZ Commissioner about the Town of Bloomfield Monthly Report entitled “Engineering Construction Projects Report” Mr. Giner explained to the Commission that the report contained in the heading the name of the projects, current court, status, timeline, pct done, updated comments and type.

   He stated that the Engineering Construction Project Report gives insight into the projects progress, stages and status being done in the Town of Bloomfield. A goal of Mr. Giner is to get this documentation online so people can look up the progress, stages and status of a particular project in the Town of Bloomfield.

8. Adjournment.

   Commissioner Lester made a motion to adjourn the TPZ Commission meeting and Commissioner Bolton seconded the motion. The TPZ Commission voted unanimously to adjourn the meeting.

   NEXT MEETING FEBRUARY 27, 2019