Present: Chairman Barry Berson, Commissioner Byron Lester, Commissioner Steve Millette, Commissioner Dan Mara, Commissioner Dwight Bolton and Commissioner Katie Blint.

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

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

1. Roll Call: A quorum was established with 6 members present.

2. Approval of 11/21/19 Minutes:

   Commissioner Lester made a motion to approve the 11/21/19 Minutes with corrections and Commissioner Bolton seconded the motion. The Commission voted unanimously to approve the 11/21/19 Minutes with corrections.

3. Site Plan Approval - None:

4. 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).

   Chairman Berson stated that the Commission had a letter dated 12/10/19 from the Applicant requesting an extension to the time requirement for closing the hearing and asking that the hearing be continued until the February 27, 2020 TPZ Meeting.

   Commissioner Millette made a motion to grant an extension to the time frame for closing the Public Hearing for the 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 (continued from 11/21/19). Commissioner Lester second the motion and the Commission voted unanimously to grant the extension.

   Commissioner Lester made a motion to continue the Public Hearing on the 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, until the February 27, 2020 Town Plan and Zoning Commission meeting. Commissioner Lester second the motion and the Commission voted unanimously to table/continue the above Request to the February 27, 2020 TPZ meeting.

   Commissioner Lester read the legal notice from the Hartford Courant for the Request by Solli Engineering, LLC for a Text Amendment to the Zoning Regulations to various sections to add Surgery Center permitted use in the I-1, BCD, POD, DDZ AND DDZ-II Districts with corresponding definitions and parking requirements. A copy of the proposal is on file in the Town Clerk’s Office.

   b. Request by Solli Engineering, LLC for a Text Amendment to the Zoning Regulations to various sections to add Surgery Center permitted use in the I-1, BCD, POD, DDZ AND DDZ-II Districts with corresponding definitions and parking requirements.

   Mr. Peter Kaiko, Sr. Project Engineer, Solli Engineering located 501 Main Street, Suite 2A, Monroe, Connecticut represented the Applicant for this request. Mr. Kaiko stated they are proposing revisions to the Town of Bloomfield zoning regulations articles 2.2, 4.1, 4.2, 4.3, 5.6 and 6.2. They are being submitted to define surgery center use and incorporate Surgery Centers into specific permitted principal uses in various zones through means of a special permit or site
plan approval. Districts where a surgery center use is proposed to be added are aligned with zones that currently authorize medical clinics and offices, by special permit or site plan approval. The revisions includes parking requirement language, consistent with Institute of Transportation Engineers parking standards, to be added to the medical related uses category. The purpose of adding the surgery center use is to accurately define this variant of medical use and the associated parking requirement. The proposed amendments will impose an adequate parking standard while minimizing the impact of stormwater runoff from superfluous parking spaces and the resulting impervious area.

Mr. Kaiko stated that, based on the current regulations, a surgery center would be required to provide parking at the minimum five (5) spaces per 1,000 square feet of gross floor area as defined by the medical clinics and offices use. The other similar use found in the regulation is a hospital with a required parking ratio of one (1) space for every three (3) beds. The Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition studies indicate the average rate peak period parking demand for surgery centers to be 8.5 spaces per operation room.

He stated, that existing medical clinics and offices uses are explicitly listed in the General Industry District (I-1) principal uses and structures authorized by special permit. Medical clinics and offices uses may currently be authorized by special permit through Commission approval as “any nonresidential use, not otherwise prohibited, which takes place within the confines of an enclosed building where no goods, equipment or materials are stored outside. Section 4.3.C.4.(d).”

Mr. Kaiko defined a Surgery Center as a facility where surgeries that do not require hospital admission are performed. Patients arrive on the day of the procedure, have the surgery in an operating room, recover under the care of the nursing staff and are then sent home (on the same day). There are no beds or overnight facilities. Surgery centers do not provide primary care facilities and typically treat patients who have already seen a health care provider and have selected surgery as an appropriate treatment. All surveyed surgery centers have at least one dedicated operating room.

He summarized that the Applicant is proposing an Amendment to Zoning Regulations which adds “Surgery Center” to the definition in Section 2.2 of the Town of Bloomfield Zoning Regulations. He also stated this application also proposes to incorporate “Surgery Center” as a principal use permitted by special permit or site plan approval in districts that currently allow medical clinics and office use. He continued, associated parking requirement for surgery centers consistent with the Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition are proposed to be used in the medical related uses category of the number of parking spaces required table, section 6.2.D. And medical clinics and offices use is proposed to be explicitly listed as a permissible use by special permit in the General Industry District (I-1).

Chair Berson asked Mr. Giner to give his input into this matter.

Mr. Giner referred the Commission back to his Memorandum dated 12/12/19. Mr. Giner stated the case could be made that surgery center could fall under the broad definition of medical clinic in the current regulations. However, the applicants make the case for distinguishing the use apart from the general umbrella of “medical center.” In particular, their position is that surgery centers operate differently than a typical medical clinic and require different parking standards due to their specific operating model.

Mr. Giner stated the Staff has reviewed the language and finds that the proposal does not conflict with any provisions of the Bloomfield Plan of Conservation and Development. He recommend modifying the last sentence of the proposed definition to read “All surgery centers shall have at least one dedicated operating room.”

Mr. Giner stated he recommends a proposed motion for approval should read as follows: To Approve the Request by Solli Engineering, LLC for a Text Amendment to the Zoning Regulations to various sections to add Surgery Center permitted use in the I-1, BCD, POD, DDZ and DDZ-II Districts with corresponding definitions and parking requirements as proposed in the application record with the modification that the last sentence of the proposed definition for
surgery center shall read “All surgery centers shall have at least one dedicated operating room.” This Text change shall have an effective date of January 2, 2020.

Public Questions:

Ms. Carmela Garofalo located at 10 Westbrook Rd., Bloomfield asked what the environmental impact is. Mr. Kaiko answered that there is none.

Mr. Kevin Gough asked what the difference between medical clinic and surgery center is. Mr. Giner explained the difference and he also stated it will not affect the operations of clinics that have been previously approved.

Commission Questions:

Commissioner Mara asked Mr. Kaiko to define the difference between a medical office and a surgery center? Mr. Kaiko explained that the surgery center patients have already been evaluated by their primary physician and the condition has been identified. The doctor pre-schedules an appointment with the Surgery Center for out-patient surgery, the patient receives surgery there, recovers there and goes home. All surgeries are done in one day, therefore the need for more parking is not necessary.

Commissioner Bolton asked Mr. Giner how the Applicant will define surgery center. And he asked what the definition of a medical clinic is. Mr. Giner stated the medical clinic is a healthcare facility that is primarily focused on the care of outpatients with no surgeries involved. The surgery center is a facility where surgeries that do not require hospital admission are performed. Patients arrive on the day of the procedure, have the surgery in an operating room, recover under the care of the nursing staff and are then sent home (on the same day). There are no beds or overnight facilities. Surgery centers do not provide primary care facilities and typically treat patients who have already seen a health care provider and have selected surgery as an appropriate treatment. All surgery centers have at least one dedicated operating room.

Commissioner Lester asked Mr. Kaiko if they are affiliated with a hospital. Mr. Kaiko answered no.

Commissioner Blint asked if this proposed change has happened in any other communities and what is the recovery time for surgery? Mr. Kaiko answered that to his knowledge, this has not been taken up by any other Town and that no overnight recovery will be required here. Commission Blint asked if it is a twenty-four (24) hour operation. Mr. Kaiko answered no.

Chair Berson asked what happens if someone walks in with a cut arm? Mr. Kaiko stated there are no walk-ins. The person must be scheduled by a doctors office. Chair Berson asked how many patients per day? Mr. Kaiko stated several people are involved in the surgery and they try to avoid high numbers. Chair Berson stated one (1) operating room to how many staff or more operating rooms more staff? Mr. Kaiko stated the staff consist of doctors, nurses and clerical staff. Chair Berson asked do they specialize. Mr. Kaiko stated yes they specialize. Chair Berson asked are there any in Hartford? Mr. Kaiko stated three are fifty such uses (50) certified in Connecticut and one in Bloomfield.

Public Comments:

Commissioner Blint stated she still consider leaving them as they are because nothing has changed.

Chair Berson asked why redefine parking. Why not waive it? Mr. Giner stated that for a reduction of parking under 25% a lot of conditions must be met.

Commissioner Millette stated he’s concerned the parking could have been done differently.

Commissioner Mara stated he does not have a problem with parking but he does have a problem with the definition. It’s not a definition, it’s too loose and broad, it must be clear.

Commission Comments: None
Commissioner Lester made a motion to close the Public Hearing and Commissioner Bolton seconded the motion. The Commission voted unanimously to close the Public Hearing.

Commissioner Mara made a motion to MODIFY AND APPROVE the Request by Solli Engineering, LLC for a Text Amendment to the Zoning Regulations to various sections to add Surgery Center as a permitted use in the I-1, BCD, POD, DDZ and DDZ-II Districts with corresponding definitions and parking requirements. The effective date for the changes was set at January 1, 2020.

The modification was to the definition of Surgery Center which will read as follows:

**Surgery Center** - A surgery center is a facility where only surgeries that do not require hospital admission or overnight stays are performed. A Surgery Center has no beds or overnight facilities but may have post-operative care and recovery rooms. All surgery centers shall have at least one dedicated operating room.

The Commission voted unanimously to approve the request.

5. **Old Business:**

a. **Informal discussion of proposed precast wall panel production facility on Tobey Road:**

Mr. Jason Hensley, Director of Research & Development located at Jason.Hensley@fabconprecast.com, Mr. Marc Nanna, CCIM Executive Vice President of JLL located at 45 South Seventh Street, Suite 305, Minneapolis, MN and Mr. Shawn McMahon Managing Director New England Region located at 90 State House Square, Hartford, CT were the representatives in this matter.

Mr. Hensley stated Fabcon Precast, LLC is currently looking for property in the New England market for a new precast concrete wall panel production facility. They have identified a parcel on Tobey Road in the Town of Bloomfield that is of interest to them. They are at this meeting to discuss their plan and related zoning regulations with the Commission. They gave a brief presentation which included the location of the offices, CEO’s, owners (Solace/Platinum Equity) and a description of the products the company offers. They showed a diagram of the proposed site to be located on Tobey Road in Bloomfield. They hope to create ninety (90) to one hundred (100) jobs. There will be twenty (20) to thirty (30) trucks a day. On the peak hours thirty (30) to fifty (50). They will use 3900 gallons of water for their concrete and they gave the plant characteristics.

Commission Questions:

Commissioner Mara asked will there be on site storage and parking? Mr. Hensley stated 9 acres and there will be parking for sixty (60) to ninety (90) cars. There will be first and second shift.

Commissioner Lester asked how many employees ninety (90) to one hundred (100)? Mr. Hensley stated it’s a possibility.

Commissioner Millette asked what the traffic from the trucks will be like on a day to day basis. Mr. Hensley stated inbound five (5) to ten (10) truckloads a day.

Mr. Giner asked if they could use the railroad. Mr. Hensley stated that there was a possibility for inbound supplies but that shipping out product was problematical from a logistical point of view and likely too expensive.

Commissioner Bolton asked is there a demand in New England for a precasting plant? Mr. Hensley stated yes and that their Pennsylvania plant cannot keep up with the demand. The New England plant will also take care of the Boston and Canada demands.

Commissioner Blint asked if I-91 is the main route. Mr. Hensley stated yes and they would like Goodman Road as an access road for outbound traffic.
Chair Berson asked if they make pre-stressed columns, is there a day and evening staff and do you pre-heat the product? Mr. Hensley stated they do not make pre-stressed columns and they stream the product. There is a first and second shift. Sometimes the second shift may run longer because they may be finishing a production run but they are quiet.

Public Questions:

Ms. Carmela Garofalo located at 10 Westbrook Rd., Bloomfield, asked was the wetland’s issues in this case? Mr. Hensley showed the wetlands on the diagram which will be relocated on the property.

Mr. Hensley stated Mr. Shawn McMahon will be dealing with state and federal laws concerning this matter.

Mr. Kevin Gough asked what about other chemicals breaking off falling of the trucks to the ground? Mr. Hensley stated they put the item in the oven all contained, washed, cut them, wash equipment, storage is outside. Mr. Gough also asked about the use of the railroad system, how would that work? Mr. Hensley stated if the railroad was used at each pick up site the timing would be important and it would need to be equipped with a crane to remove the product from the train to the transportation. That process is extremely expensive. Mr. Gough asked how many cranes are on location? Mr. Hensley stated two (2) to three (3).

Mr. Giner asked how long does the product stay on site? Mr. Hensley answered two (2) to three (3) months.

b. Discussion re: typographical/transcription errors in the Zoning Regulations

Mr. Giner stated there are clear typographical and transcription errors in the zoning regulations. His proposal is to find errors, correct them and make the Commission aware of the corrections. The Commission concurred with this approach.

6. Planner’s Report:

a. Project Updates:

All updates were included in the Commission Agenda packages.

7. 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 at 8:26 p.m.

NEXT MEETING JANUARY 23, 2019