

**TOWN OF BLOOMFIELD, CT
TOWN PLAN & ZONING COMMISSION
REGULAR MEETING
THURSDAY APRIL 24, 2025 – 7:00PM
ZOOM MEETING PLATFORM AND
IN- PERSON MEETING – COUNCIL CHAMBERS
DRAFT**

There was a meeting for the Town of Bloomfield's Town Plan & Zoning Commission held on April 24, 2025 at 7:00pm in a hybrid meeting style. The in-person location was Bloomfield Town Hall – Council Chambers, 800 Bloomfield Avenue, Bloomfield, CT and the virtual location was via Zoom.

1. Call to Order

Chair Lester called the meeting to order at 7:05pm.

2. Roll Call

Present were: *In-person*: Chair Byron Lester, Stephen Millette, Renae James, Kevin Gough, Jennifer Marshall-Nealy, Dwight Bolton, Kathleen Blint, Roger O'Brien

Via Zoom: Leon Peters (arrived at 7:31pm), Ola Aina (arrived at 8:16pm)

Absent were: None

A quorum was established with 8 members present

Also present was Mr. Jonathan Colman, Director of Building and Land Use; and Ms. Lynda Laureano, Assistant Director of Building and Land Use.

3. Approval of Minutes

a. February 27, 2025

Motion to approve the February 27, 2025 meeting minutes made by Commissioner Marshall Nealy; seconded by Commissioner Bolton and approved unanimously.

b. March 27, 2025

Motion to approve the March 27, 2025 meeting minutes made by Commissioner Bolton; seconded by Commissioner James.

This motion was rescinded.

Motion to table the March 27, 2025 meeting minutes made by Commissioner Bolton; seconded by Commissioner Gough and approved unanimously.

4. Public Hearings

a. (Tabled at last TPZ meeting) **1301 Blue Hills Avenue: Special Permit Use and Revised Site Plan** per Sections 4.4.C.4.bb and 6.2.H for a Commercial Kitchen within a convenience store, and a 30% parking reduction in the I-2 district.

Applicant: Ameen B. Lee, Property Owner: Khalid LLC

Motion to reopen the public hearing made by Commissioner James; seconded by Commissioner Bolton and approved unanimously.

Mr. Ameen B. Lee, applicant, was present for discussion. He owns two food trucks and would like to open a commercial kitchen within a gas station & convenience store. This store has a pre-existing drive-through window that would be used for picking up orders. Mr. Colman shared the highlights from his staff report. This site cannot accommodate any indoor or outdoor seating. The site needs to be operated under the existing approved site plan and any modifications, specifically to the traffic pattern, would necessitate a site plan modification application. The public hearing was opened for questions from the public.

Ms. Paula Jackson, 57 Brookline Avenue, asked where the restaurant would be located.

It will be inside the new Citgo gas station at 1301 Blue Hills Avenue.

Commissioner Gough confirmed with Mr. Lee that the gas station is in operation. Mr. Lee wanted to put a small table with chairs for guests to sit and wait for their food, but the space does not accommodate that. Commissioner Marshall-Nealy asked clarifying questions surrounding the drive-through window and the hours of operation will be 6:00am to 10:00pm.

Commissioner Bolton confirmed that he is leasing space from the owner. Mr. Colman confirmed that the food trucks will not be allowed to be parked on-site. Mr. Lee is solely responsible for the waste removal. Commissioner James confirmed that the existing site plan was approved in 2022. Parking locations or traffic patterns cannot be changed without a site plan modification.

Commissioner Blint asked Mr. Lee about the staff's recommendation to focus on prepackaged foods. Mr. Lee's menu does not have prepackaged options, and his food is made fresh to order. He is confident that the existing thirteen parking spaces will be sufficient for this use.

Ms. Paula Jackson, 57 Brookline Avenue, shared her support for this application.

The commissioners shared their comments. Commissioner Blint noted that it appears to be a difficult location but believes it is a needed use. Commissioner James thanked Mr. Lee for keeping his business in Bloomfield. Commissioner Gough confirmed that Mr. Lee will take phone and online orders to be picked up at the drive-through window. Chair Lester wished Mr. Lee the best with this venture.

Motion to close the public hearing made by Commissioner Marshall-Nealy; seconded by Commissioner James and approved unanimously.

Motion to approve Special Permit Use and Revised Site Plan for 1301 Blue Hills Avenue made by Commissioner James; seconded by Commissioner Bolton and approved unanimously. Commissioner Gough made a friendly amendment to include a condition excluding any food trucks from being parked on site. This amendment was accepted by Commissioner James. The friendly amendment was approved unanimously.

Commissioner Peters joined the meeting virtually at 7:31pm. Commissioner Blint was the seated alternate for the first public hearing.

- b. **95 Rescue Lane (A.K.A. 30 Meghans Court per Town Assessors Card) – Special Permit and Site Plan Application** per Sections 4.4.C.4.bb and 4.4.C.4.u of the Town of Bloomfield Zoning Regulations to allow a construction excavation establishment with outdoor storage of materials and equipment, in the I-2 zoning district. Applicant and Owner: Orlando Excavations, Inc.

Mr. Patrick Ruiz, of Orlando Excavations, Inc. was present for discussion. Mr. Ruiz's headquarters is currently located in Chaplin, CT while most of his business's work is in the Bloomfield area. He would like to have a local storage yard to store materials and equipment. There will be no sales or offices on the site. The property is 18 acres, with 5 acres anticipated to be used. There is a proposed 30x30 garage that will be used to store smaller items. Mr. Colman noted that outdoor storage is not a permitted principal use in this zone. Thus, the applicant should seek a variance from the Zoning Board of Appeals before seeking approval from this commission. Mr. Colman explained that staff does not support this application as submitted. The commissioners may continue this application until the Town Engineer report is reviewed, and several site-specific conditions are addressed. It was at this time that the public hearing was opened for questions.

Mr. David Topol, 42 Brighton Park Way, asked if the property owner would need to seek further approval should he want to expand beyond the 5 acres.

Commissioner Peters asked if the applicant has considered a traffic study to provide further clarity related to truck traffic. Mr. Ruiz noted that this site is on a dead-end road surrounded by other construction companies. He did not feel a traffic study would be necessary but can explore that should the commission request it. Orlando Excavations currently has one storage yard in Chaplin and can share photos of their current storage yard. It would be ideal to have a storage yard in Bloomfield as most of their work is in this area. Commissioner Millette asked Mr. Ruiz how many trucks he anticipated traveling through the site daily. He also asked about screening and buffers. Commissioner James asked questions related to tree cutting. She also clarified the hours of operation. Commissioner Bolton confirmed that there will be earthwork storage on site. Commissioner Gough asked Mr. Ruiz how this would benefit Bloomfield. Mr. Ruiz has shared different products with residents who ask for free. He asked Mr. Ruiz if any other sites were recommended that were already developed to prevent unnecessary tree clearing. This site was previously approved for six commercial lots in 2010, which is how Mr. Ruiz found this site.

Commissioner Aina joined the meeting via Zoom at 8:16pm.

Motion to continue the public hearing to the next regular scheduled meeting on May 22, 2025 made by Commissioner James; seconded by Commissioner Millette and approved unanimously.

- c. **Regulation Amendment Application** per Section 9.6 of the Town of Bloomfield Zoning Regulations to amend Section 4.5.D.3.g, to allow drive-in windows in the GWD zoning district. Applicant: 925 Blue Hills LLC

Mr. John Cushman and Mr. Mohammed Adnan were present for discussion. Commissioner Gough reminded commissioners and applicants that this is a general zoning request, not a spot zoning issue. Any individual maps do not need to be shared. Mr. Cushman would like to enhance the building by adding a drive-through window. This property is located within the Gateway District, which only allows drive-through windows that have been grandfathered in. Staff would like to keep the district as is. This application was submitted to CRCOG for review, which allows for a 35-day review period, so it was recommended to continue this public hearing. At this time, the public hearing was opened for questions from the public.

Ms. Paula Jackson, 57 Brookline Avenue, asked what the drive-through is for if Isaac's Bagel is already operating within the gas station. She frequents Isaac's and does not need any drive-through.

Mr. Kendall Angel, 20 Ivory Road, stated that the traffic from this site is already very busy. A drive through would make no sense.

Commissioner Gough asked Mr. Cushman if he surveyed any of the neighbors to see if there was any interest in this drive-through. The applicant met with Ms. Laureano and the Zoning Enforcement Officer to inquire about relocating the nearby Dunkin' to the Isaac's Bagel area down the road. Ms. Laureano explained that a use variance is difficult to obtain as there is no legal hardship and as previously stated, drive-through windows are not allowed in the Gateway District. This left the applicant with the option of applying for a text amendment. Commissioner Gough asked staff if the commissioners can change the regulations to eliminate drive-throughs throughout all zones in town. Mr. Colman confirmed that this is possible and spoke about a Complete Streets Improvement Project set to begin on Blue Hills Avenue that will increase walkability. Commissioner Marshall-Nealy does not see a need to approve this change as the area is already congested. Mr. Cushman explained that this application was due to customer demand for a drive-through. Commissioner James asked how this proposal would benefit Bloomfield. Commissioner Millette asked how many drive-throughs there are in this district currently. Commissioner Flint confirmed with staff that this site has frequent accidents. At this time, the public hearing was opened for public comment.

Shawn Shelton, 57 Brookline Avenue, noted that traffic would be terrible in that location. They do not agree with kicking out a small business.

Mr. Jeffrey Rodriguez, 15 Boysen Drive, is the head chef at Isaac's Bagel. The new car wash is expected to generate up to 1,000 customers a day. He has witnessed several car accidents over the years. He is very concerned about the proposed traffic. Landscapers who frequent Isaac's use the rear of the building to exit the site and that is where the proposed drive-through would go. He appreciated the community support this evening.

Commissioner Peters noted that there is a difference between customer convenience and community engagement. This application does not encourage community growth but increased revenue. Commissioner Flint does not support this application due to the frequency of car accidents in the area. Commissioner James lives in the area and is looking forward to efforts to increase walkability. She does not believe a drive-through is necessary. Commissioner Bolton noted that the Gateway District was zoned as such for a reason and he cannot support issuing blanket text amendments. Commissioner Marshall-Nealy does not support this application. She noted that the Dunkin' on Cottage Grove Road is difficult to exit and she expressed concern about this site becoming the same. Commissioner Gough does not believe that this is an appropriate way to do text amendments. There needs to be more community engagement and drive-through restaurants are not the way to achieve that. He recommended revising the application requirements to require a petition showing community support. He would like to see more forward progress on the Gateway District. There will already be increased traffic due to the newly approved apartment complex. Chair Lester noted that this is not in line with the POCD goals. He asked Mr. Colman if the commission can make a deliberation without CRCOG's report. Mr. Colman recommended continuing the public hearing until the report has been received as they are still within the 35-day review period.

Motion to continue the public hearing to the next regular scheduled meeting on May 22, 2025 made by Commissioner Millette; seconded by Commissioner Bolton and approved unanimously.

Commissioner Gough confirmed with Mr. Colman that comments made by CRCOG are purely advisory.

d. Regulation Amendment Application per Section 9.6 of the Town of Bloomfield Zoning Regulations to add a new Section 6.14 Inclusionary Zoning and amend Section 2.2 to add Affordable Housing related terms definitions. Applicant: Town of Bloomfield, Town Plan and Zoning Commission

Mr. Colman explained that these documents reflect the conversations related to the draft regulations over the past few meetings. These have been reviewed by Goman+York and the staff is in support of the changes. There is a good balance between requiring inclusionary housing and still maintaining a proper business model for developers that is not overly burdensome to meet the requirements and have a profitable business model. Mr. Colman explained that this has been submitted to CRCOG and is still within the 35-day review period. As such, he recommended that the public hearing be continued to the May 22, 2025 meeting. It was at this time that the public hearing was opened for questions.

Ms. Eunice Medwinter, 46 Newport Drive, asked what is the goal for this amendment in relation to affordable housing.

Mr. Colman explained that this is a strategic policy of the Town Council, POCD and Affordable Housing Plan to increase affordable housing within the town. This would require applicants of residential developments over 10 units to set aside 12% for affordable housing. This would be provided to people who do not exceed 80% of the average median income (AMI) for Hartford County. If the developer does not comply, they must contribute to the newly established housing trust. Ms. Medwinter asked clarifying questions related to the housing trust fund. There is no municipal housing trust exactly like this, but there is one similar in Mansfield, CT. Ms. Medwinter attended a UConn seminar related to affordable housing and shared that forced affordable housing is not effective throughout the state. Affordable housing should happen naturally, referring to it as naturally occurring affordable housing (referred to as 'NOAH' hereafter).

Commissioner Gough requested that the language be changed from 'maximized' to 'realized' in the density bonus section. Commissioner Bolton asked clarifying questions related to the commercial linkage fee. Commissioner James asked staff's opinion on having a regulation that would allow the town to collect a portion of the developer's revenue as a condition to develop in town. Her neighbor found information related to this and forwarded it to Town staff. Mr. Colman would need more time to research this option. Commissioner Aina asked questions related to the fee arrangement and the AMI. Commissioner Blint asked to have CPI spelled out. It was at this time that the public hearing was opened for comments.

Mr. Brian Zelman, 15 Concord Street, West Hartford, is a developer and is against the one-size-fits-all mentality for inclusionary zoning. His colleagues are trying to increase the housing stock. Most of the affordable housing projects he has been involved in are outside a mandate. They are currently working on a project in West Hartford where two units were made affordable

through Town Council request. He recommended tax incentives to developers to encourage future growth in Bloomfield.

Ms. Eunice Medwinter, 46 Newport Drive, expressed concern related to outstanding issues. She stated there is no plan for the housing trust fund.

Commissioner Aina noted that the quality of life for the Bloomfield residents is the main priority. This is not anti-development, but this is the best tool to accomplish the housing goals for the town. He would like stronger figures on the AMI. Commissioner O'Brien has seen success with similar regulations in the past and is in support of this amendment. Commissioner Peters explained that this is based on the general income for Bloomfield residents. He does feel this needs to be reviewed further as there are still outstanding questions. Commissioner Blint expressed concern that this may affect state workforce housing initiatives. She thinks that other options should still be explored. Tax credits or congregate housing may benefit the town.

Commissioner Millette would have liked to see a sliding scale offered instead of the percentage calculation. He likes discretionary modifications. He is not pleased with the commercial linkage and expressed concern related to the housing trust. He opined that the housing trust is not well-defined and is not going to directly provide housing. Commissioner James responded to Mr. Zelman's comments. In her time on the commission, she has never had a developer incorporate affordable housing unless it is required for a density bonus. Naturally occurring affordable housing is only effective in areas with steady development. Bloomfield does not have endless capacity for development, making this theory ineffective in this town. The commission can revisit this regulation to adjust the percentage requirement should this become too prohibitive for developers, but something must be put into the regulations to ensure affordable housing for Bloomfield residents.

Commissioner Bolton thanked Mr. Zelman because he wanted to hear a developer's opinion. This regulation is not going to stop the housing crisis, and he is unsure as to how much of a positive outcome this will have. He does not support the commercial linkage fee. He appreciated the feedback during the public hearing. Commissioner Marshall-Nealy noted that the 'NOAH' theory sounds good but \$4,000 per month rent is not realistic. The developers must keep the average citizen with a median income in mind when creating these developments. This commission is trying to figure out how to make affordable housing work. Commissioner Gough noted that this is a workable amendment and is something that can be adjusted should there be a need. As new apartment complexes are added, the Town of Bloomfield will be above the 12% threshold. He believes housing is mispriced overall and there is no need for ever expanding infinite growth. There is a difference in economic thinking between a developer focused solely on profitability and a developer that will contribute to a flourishing community.

Mr. Zelman spoke for the second time. The proposal adds an economic burden. By utilizing other tools such as tax incentives to help equalize the costs, banks will be more amenable to loaning funds. He stated that he is willing to have an offline conversation with any of the commissioners about his concerns. Most of his firm's projects are private/public partnerships. He shared information related to a new housing development in East Hartford at the former cinema. The driver behind the project is a tax agreement. He wants to build housing in Bloomfield, but the Town of Bloomfield needs to work with developers.

Chair Lester noted that something must get into the regulations related to inclusionary zoning as affordable housing is needed. Further discussion is needed related to the percentage. There needs to be a sweet spot where Bloomfield will still be attractive to developers while still addressing the need for affordable housing.

Mr. Kenneth McClary, 8 Haviland Lane, supports inclusionary zoning. Housing is a public good and it is this body's duty to protect this public good and make sure the zoning laws amplify safe, decent and affordable housing in our community.

Motion to continue the public hearing to the next regular scheduled meeting on May 22, 2025 made by Commissioner Bolton; seconded by Commissioner Gough and approved unanimously.

Mr. Colman asked for guidance from the commissioners going forward. If minor changes are made, it can be acted upon at the next meeting. He reviewed all outstanding items to be discussed at the next meeting. The commissioners discussed the possibility of a special meeting.

5. New Business

a. POCD Final Draft Review

The revised future land use map was received. Changes discussed at the last meeting have been incorporated. Staff feels comfortable starting the 65-day review period.

Motion to move the POCD into the statutory 65-day review made by Commissioner James; seconded by Commissioner Marshall-Nealy and approved unanimously.

b. Town Center Plan Planning Referral per CGS Chapter 132 Section 8-191

This is a statutory referral. Mr. Colman recommended that the commission pass the proposed resolution to the Town Center Economic Development Commission indicating that their plan is in accordance with the existing and proposed POCD.

Motion to approve the resolution stating that the draft Town Center Plan is in accordance with the Town of Bloomfield's existing and proposed POCD made by Commissioner James; seconded by Commissioner Bolton and approved unanimously.

6. Old Business

Mr. Colman welcomed Commissioner O'Brien, who was a planner for the City of Hartford. He thanked Commissioner Blint for her service on both this commission and Inlands Wetlands and Watercourses Commission. Commissioner Gough recommended reviewing sections from the Town Center Plan that involve TPZ during a future meeting.

7. Adjournment

Motion to adjourn made by Commissioner Marshall-Nealy; seconded by Commissioner Blint and approved unanimously. The meeting was adjourned at 10:26pm.