

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Draft Minutes - Special Meeting Notice
Thursday, February 18, 2010, 7:00 PM
Auditorium, Second Floor
Vernon Senior Center
26 Park Place
Rockville/Vernon, CT

RECEIVED
VERNON TOWN CLERK
10 MAY 10 PM 2:32

1. Call to Order & Roll Call
 - ◆ **Meeting was called to order at 7:04 P.M.**
 - ◆ **Regular Members Present:** Lester Finkle, Chester Morgan, Keith Lauzon, Francis Kaplan and Walter Mealy. Sarah Iacobello entered at 7:20 P.M.
 - ◆ **Alternate Members Present:** Charles Bardes and Victor Riscassi. Charles Bardes to sit for Watson Bellows. Victor Riscassi to sit for Sarah Iacobello.
 - ◆ **Staff Present:** Terry McCarthy, Town Engineer.
 - ◆ **Legal Counsel:** Town Attorney Harold Cummings entered the meeting at 7:45 P.M.
 - ◆ **Recording Secretary:** James Krupienski.
2. Administrative Actions/ Requests
 - 2.1 Communications received NOT related to Agenda items
 - ◆ **None**
 - 2.2 Amendment / Adoption of Agenda - Additional business to be considered tinder agenda item #6 "Other Business"
 - ◆ **Lester Finkle requested moving Receipt of Application 5.1.1 prior to Public Hearings, Section 3.**
 - ◆ **Chester Morgan, seconded by Walter Mealy moved a Motion to Adopt the Agenda as Amended. Motion carried unanimously.**
 - 2.3 Acceptance of Minutes
 - ◆ **None**
5. New Business.
 - 5.1 Receipt of Applications:
 - 5.1.1 Application [PZ-2010-04] of 1035 Hartford Turnpike, LLC for a Zone Change from Industrial to Planned Residential Development at 1085 Hartford Turnpike (Assessor's ID: Map #33, Block #0072, Lot/Parcel #00027.
 - ◆ **Francis Kaplan, seconded by Charles Bardes moved a Motion to Receive the Application and Schedule a Public Hearing for March 18, 2010. Motion carried unanimously.**
3. Public Hearings
 - 3.1 Application [PZ-2009-23] of Gary Patel for a Special Permit/Site Plan of Development to construct a hotel (Springhill Suites Hotel) at #53 Hartford Turnpike (Assessor's ID: Map #01, Block #153, Lot/Parcel #53)
 - ◆ **Terry McCarthy, Town Engineer indicated modified plan were supplied by the applicant and review by Engineering.**

- Emergency access is sufficient. Cross Easement is on file in the Office of the Town Clerk.
- ◆ Walter Mealy, seconded by Chester Morgan moved a Motion to Approve as Amended the Application as outlined in the Draft Motion supplied by Staff. Motion carried unanimously. (Attachment A)

3.2 Continued Hearing for Application [PZ-2009-27] of Roland Violette for approval of a Site Plan of Development for a bulk petroleum storage and wholesale distribution facility for propane at #60-62 Industrial Park Road (Assessor's ID: Map# 30, Block #0133, Lot/Parcel 00050)

- ◆ Richard Lavengood and Richard Heintz, Surveyor for the applicant;
- ◆ Mr. Heintz provided required testing information
 - North Central District Health Department (NCDHD) approvals have been received
- ◆ Victor Riscassi questioned the proposed staffing at the facility.
- ◆ Applicant indicated a minimum of one (1) employee, more likely 2-3 office staff as well;
- ◆ Chester Morgan questioned North Central District Health Department (NCDHD) statements.
 - Reviewed comments for North Central District Health Department (NCDHD).
 - Reviewed Fire Marshal comments;
 - Reviewed comments regarding review by Connecticut Department of Homeland Security. Applicant indicated review was not required.
- ◆ Staff Input:
- ◆ Terry McCarthy, Town Engineer:
 - Discussed proposal with Gene Orłowski, NCDHD.
 - Met with Fire Marshal, Ray Walker
 - Stipulation #5 indicates new code than State requirement – NFPA 2005 Code.
- ◆ Richard Lavengood reviewed safety reasons for utilizing new code than adopted by the State.
- ◆ Public Comment:
 - None
- ◆ Public Hearing was closed at 7:41 P.M.
- ◆ Terry McCarthy, Town Engineer indicated Performance Bond and Erosion & Sediment Control numbers will be prepared after review.
- ◆ Chester Morgan, seconded by Francis Kaplan moved a Motion to Approve the Application based upon the Draft Motion supplied by Staff. (Attachment B)
- ◆ Commissioner Iacobello did not vote on the application.
- ◆ Motion carried unanimously.
- ◆ Recess at 7:45 P.M.
- ◆ Meeting reconvened at 8:02 P.M.

3.3 Continued Hearing for Application [PZ-2009-28] of Eric Kloter (Meadowbrook Hardware, LLC) for Zone Change from Planned Residential Development (PRD) to Commercial (C) at #4 & #6 Regan Street (Assessor's ID: Map #22, Block #11, Lot/Parcel #17 & #18).

- ◆ Attorney Stephen Ford, Ford Oberg LLC representing the applicant

- Indicated maximum buildout was created to show allowable use under the Zoning Regulations;
- Discussion took place regarding preservation of existing residential structures;
- ◆ Sarah Iacobello entered the meeting at 7:20 P.M.
- ◆ Victor Riscassi returned to alternate member at 7:20 P.M.
- ◆ Staff Comment:
 - None
- ◆ Public Hearing was closed at 7:25 P.M.
- ◆ Staff directed to Draft Motion for Approval
- ◆ Chester Morgan, seconded by Francis Kaplan moved a Motion to Continue the Application to the March 4, 2010 meeting. Motion carried unanimously.

3.4 Continued Hearing for Application [PZ-2009-26] of Ticket Network LLC for a Special Permit/Site Plan of Development for a Commercial Recreational Facility at #60 South Frontage Road (Assessor's ID. Map #29, Block #134. Lot/Parcel #00001)

- ◆ Commissioner Riscassi recused himself from the application due to non attendance at previous meetings.
- ◆ Harold Cummings, Town Attorney:
 - Town Charter delegates Land Use approvals to the Planning & Zoning Commission (PZC);
 - Towns authority is only allowed by State Statute;
 - Title 8 of the Connecticut General Statutes allows for the creation of the Planning & Zoning Commission and adoption of Rules & Regulations;
 - CGS 8-7d outlines guidelines for receipt, comment and approval of application;
 - Property owners have vested constitutional rights;
 - PZC Board acts as a quasi-judicial board for each application;
 - Letter was received from Attorney Sitkowski, dated February 11, 2010 relative to deficiency in the advertised Legal Notice;
- ◆ Lester Finkle read the letter from Branse, Willard & Knapp LLC. Into the record;
- ◆ Attorney Cummings indicated the applicant needs to determine if the application should continue.
- ◆ Attorney Dorian Familigetti, Kahan, Kerensky & Cappossela representing the applicant:
 - Does not feel the Legal Notice is defective;
 - No additional approvals are required for existing parking areas;
 - 135 & 140 Bolton Road may have needed to be included in the Legal Notice;
 - Parking is existing at the 135 & 140 Bolton Road parcels and is not required for Zoning approval;
 - Bolton Road properties were listed in application narrative;
 - Supplied revised Site Plans with Bolton Road parking eliminated;
 - Parking reduced from 771 spaces to 556 spaces with Bolton Road removed;
 - Attendance would drop from 1928 persons to 1390 persons;
- ◆ Donald Vaccaro, Applicant/Owner:
 - Felt the reduction in attendees may result in a reduction in the proposed decibel levels from the site.

- ◆ Attorney Dorian Familigetti supplied an extension for the commission to the March 18, 2010 meeting.
 - Requested notification of Vernon residents that were members of the Vernon Residents for Responsible Community Development.
- ◆ Attorney Robert J. Sitkowski, Branse Willard & Knapp LLC:
 - Feels §8-7g outlines a defect in the Legal Notice;
 - Believes it is not curable by a change in original drawings;
 - Believes that Public Hearing was never noticed properly;
 - Believes numerous Special Permits were not noticed properly;
- ◆ Attorney Cummings suggested the commission continue the Public Hearing based on the applicants wish to continue.
- ◆ Attorney Sitkowski suggested re-advertisement of the Public Hearing Legal Notice to cure the advertising deficiency.
- ◆ Attorney Cummings feels determination to continue is the applicants.
- ◆ Attorney Stikowski not in agreement with the commission proceeding with the application.
- ◆ Lester Finkle requested list of Special Permits required:
 - Commercial Recreational Activity;
 - Service of Alcoholic Beverages;
 - More than 40 new off-site parking space;
 - Height of a structure in excess of thirty-five feet;
 - Site Plan Approval;
 - Erosion & Sediment Control Plan approval;
 - Activities in an Aquifer.
- ◆ Jennifer Roggi, 2 Pineview Drive & David Herrmann, 521 Bolton Road presented as members of Vernon Residents for Responsible Community Development.
- ◆ Bennett Brooks, Brooks Acoustical Corporation:
 - Comments on question by Commissioner Mealy:
 - Simulated concert testing speaker height could be impacted by surrounding vegetation versus redeveloped site topography? Believed it would not have a large impact on sound transmission. No calculations were completed between the rough and developed terrain.
 - Comments on question by Commissioner Morgan:
 - Class B designation relating to property located at 76 South Frontage Road? Required to meet guidelines for Class A impact to surrounding residential neighborhoods.
- ◆ Attorney Dorian Familigetti spoke to noise level design for Commercial and residential properties.
- ◆ Commissioner Morgan questioned the effect of all traffic converging on a single site only.
- ◆ Attorney Dorian Familigetti indicated that Mr. Bubaris would be available to respond to the concern.
- ◆ Attorney Cummings requested that copies of updated reports be supplied to Attorney
- ◆ Five (5) minutes recess at 9:10 P.M.
- ◆ Meeting reconvened at 9:21 P.M.
- ◆ Mr. Brooks indicated proposed change to add fence with sound deadening materials to reduce sound issues at 76 South Frontage Road and shown in

February 18, 2010, Sheet 1 of 2. Also due to venue attendance reduction proposed control board will be relocated at fifty (50') feet from the stage.

- ◆ **John Wachung, 31 Timber Lane:**
 - Concerned with budgets cut and effect to Emergency Services in Town;
 - Concerned with effect on housing values and tax impact on additional services;
 - Suggested the Tax Office create a Cost Market Risk Analysis for the proposed project.
- ◆ **Brandon & Becky LaGrange, 4 Brittany Lane:**
 - Feels proposed use – Commercial Recreation Facility would not comply with §17.3 “...shall not create a nuisance.”
 - Concerned with impact for public safety.
- ◆ **John Morehardt, 114 Valley Falls Road:**
 - Played audio acquired from Police Dispatcher recordings;
 - Concerned with excessive noise in the area;
 - Concerned with the impact on nature.
- ◆ **Kara Bellows, 104 Phoenix Street;**
 - Concerned with impact of additional traffic in the area;
 - Concerned with impact to animals and wildlife.
- ◆ **Gene Ambo, Northview Drive:**
 - In support of the plans as proposed.
- ◆ **Jessica Fischer, 19 Cantor Drive:**
 - Feels it does not comply with §17.3.1.1- would create a hazardous condition to public safety;
 - Concerned with impact from additional traffic.
- ◆ **John Morrissette, 10 Susan Road:**
 - Concerned with noise and traffic impact to area residences;
 - 22a-69-3.1
 - Concerned with impact from noise on residences.
- ◆ **Diane Smith, 19 Brittany Lane:**
 - Concerned with impact to autistic child from excessive noise levels.
- ◆ **Walter Mealy, seconded by Charles Bardes moved a Motion to Extend Curfew to 10:45 P.M. Motion carried unanimously.**
 - ◆ **Frank Bilfalke, 23 Elizabeth Lane:**
 - Opposed to venue due to impact to environment impact from excessive noise.
 - ◆ **Rich Carpenter, 87 Danny Trail:**
 - Opposed to proposed venue;
 - Concerned with impact to property values;
 - Concerned with impact from crowd and indiscernible noise.
 - ◆ **Maureen Donahue, 21 Cantor Drive:**
 - Opposed to venue after review of application;
 - Concerned with impact from fan behavior – tailgating;
 - Concerned with recourse if the experts are wrong about the impact from the venue;
 - Felt business impact study was inaccurate.
 - ◆ **Seth Resnikoff, 174 East Main Street:**
 - In favor of proposed venue.
- ◆ **Walter Mealy, seconded by Chester Morgan moved a Motion to Continue the Application to the February 25, 2010 meeting at 7:00 P.M. Motion carried**

unanimously.

4. Old Business

4.1 Plan of Conservation and Development

◆ **Continue on next Agenda**

4.2 Other zoning regulation changes for consideration:

- a. Low Impact Development (LID)
- b. Garden zone;
- c. Requiring sewers for development within aquifer protection zones;

◆ **Continue on next Agenda**

5. New Business.

5.2 Receipt of Applications:

- 5.2.1 Application [PZ-2010-04] of 1035 Hartford Turnpike, LLC for a Zone Change from Industrial to Planned Residential Development at 1085 Hartford Turnpike (Assessor's ID: Map #33, Block #0072, Lot/Parcel #00027.

◆ **Moved prior to Section 4 Public Hearings in Amended Agenda.**

6. Other Business

- 6.1 Additional business to be considered should be introduced under P/C meeting agenda item "#2.2 Amendment/Adoption of Agenda" at the beginning of the meeting.

7. Adjournment.

- ◆ **Chester Morgan, seconded by Francis Kaplan moved a Motion to Adjourn. Motion carried unanimously.**
- ◆ **Meeting Adjourned at 10:40 P.M.**

James Krupienski
Recording Secretary

Attachment A

DRAFT MOTION

PZ-2009-23
Special Permit/Site Plan of Development
to construct a hotel (Springhill Suites Hotel)
at #53 Hartford Turnpike
Gary Patel

MOVED, that the Vernon Planning & Zoning Commission does hereby **APPROVE**, as amended herein, Application [PZ-2009-23] of Gary Patel for a Special Permit/Site Plan of Development to construct a hotel (Springhill Suites Hotel) at #53 Hartford Turnpike (Assessor's ID: Map #01, Block #153, Lot/Parcel #53).

This approval is granted in accordance with plans entitled:

<p>Cover Sheet – Springhill Suites Hotel 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 10-27-09 Date of Certification: 11-10-09 Scale: None Sheet C1 of 12</p>	<p>Boundary & Topographic Survey Prepared For: Marbach, Brady & Weaver Inc. 53 Hartford Turnpike Vernon, Connecticut Design Professionals 425 Sullivan Avenue, PO Box 1167 South Windsor, Connecticut 06074 Date: 7/23/09 Scale: 1" = 40' Sheet C2</p>
<p>Property Line Drawing 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Date of Certification: 11-10-09, Scale: 1" = 50' Sheet C2A of 12</p>	<p>Soil Boring Plan – Soil Borings – USGS Soil Data – Springhill Suites Hotel 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 10-27-09 Date of Certification: 11-10-09 Scale: 1" = 30' Sheet C3 of 12</p>

Attachment A (cont)

<p>Demolition Plan 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 10-27-09 Date of Certification: 11-10-09 Scale: 1" = 30' Sheet C4 of 12</p>	<p>Erosion Control Notes 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Date of Certification: 11-10-09 Scale: 1" = 40' Sheet C4A of 12</p>
<p>Erosion Control Plan - Demolition 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 01/15/10 Date of Certification: 1-18-10, Scale: 1" = 30' Sheet C4B of 12</p>	<p>Site Plan 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 10/27/09, 11/10/09, 01/21/10, 02/11/10, 2/17/10 Date of Certification: 2-11-10 Scale: 1" = 30' Sheet C5 of 12</p>
<p>Fire Access Plan Design Vehicle: Smeal Fire Truck (44' Long) with 78' Ladder and Platform at End of Ladder 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 12/18/09, 12/28/09, 01/22/10 Date of Certification: 1-22-10 Scale: 1" = 40' Sheet C5A of 12</p>	<p>Erosion Control Plan - Construction 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 01/15/10, 2/17/10 Date of Certification: 1-18-10, Scale: 1" = 30' Sheet C5B of 12</p>

Attachment A (cont)

<p>Erosion Control Details 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 10-27-09 Date of Certification: 11-10-09 Scale: None Sheet C5C of 12</p>	<p>Existing Drainage Plan 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 10-27-09 Date of Certification: 11-10-09 Scale: 1" = 50' Sheet C6 of 12</p>
<p>Historic and Existing Wetland Plan 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 01/15/10 Date of Certification: 01-18-10, Scale: 1" = 50' Sheet C7 of 12</p>	<p>Proposed Drainage Plan 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 10/27/09, 01/15/10, 2/17/10 Date of Certification: 1-18-10 Scale: 1" = 50' Sheet C8 of 12</p>
<p>Proposed Grading Plan 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 10/27/09, 01/15/10 Date of Certification: 1-18-10 Scale: 1" = 30' Sheet C9 of 12</p>	<p>Proposed Utility Plan 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514 Revised 10/27/09, 12/14/09, 01/22/10, 02/08/10, 02/10/10, 2/17/10 Date of Certification: 2-10-10 Scale: 1" = 30' Sheet C10 of 12</p>

Attachment A (cont)

<p>Proposed Landscape Plan 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Prepared by Ray Paquette, Landscaper February 8, 2010 Scale: 1" = 20'; Date: None Sheet C11 of 12</p>	<p>Construction Details 53 Hartford Turnpike, Unit 5A Vernon Hospitality Condominium Vernon, Tolland Co., CT Marbach, Brady & Weaver, Inc. 3220 Southview Dr. Elkhart, IN 46514, 2/17/10 Date of Certification: 11-10-09 Scale: None Sheet C12 of 12</p>
<p>Site Plan Lighting Springhill Suites by Marriot, Vernon, CT. Prepared by Architectural Group III 201 S. Nappanee St. Elhart, Indiana. 46514 February 8, 2010 Scale: None Sheet E1.0</p>	

and such revisions to said plans as may be required by this approval;

In addition to the above-referenced plans, this approval is granted in accordance with an application dated October 11, 2009, a public hearing opened on February 4, 2010, and closed on that date, and in accordance with the following documentation submitted by the applicant or otherwise received by the Commission:

1. Traffic Impact Statement;
2. Document entitled, "Introduction to Design and Maintenance Considerations for SNOUT[®] Stormwater Quality Systems, no date;
3. Document entitled, "Quick-Start Application Guide with SNOUT[®] to Structure Ratio (STSR) Methodology, with details (8-½"x11") of 18F SNOUT Oil & Debris Stop and Installation Detail;
4. Application review comments dated 12-14-09 from Police Chief James Kenny with attached minutes from the December 2009 meeting of the Vernon Traffic Authority;
5. Memorandum to Len Tundermann dated December 16, 2009, from George Arthur, Hockanum River Linear Park Committee, regarding the Hockanum River Trail in Talcottville, with accompanying sketch of segment of site bordering the Hockanum River;
6. Email comments from James Kenny and Terry McCarthy dated 12/23/2009 addressing flooding with respect to 53 Hartford Turnpike;
7. Emergency Evacuation Plan for Proposed Springhill Suites Hotel, no date;

Attachment A (cont)

8. Letter to Leonard Tundermann. dated 12/28/2009 from Debra W. Hughes, P.E., Marbach, Brady & Weaver, Inc., and from Gary Patel, Owner & CEO, Kautilya Group, LLC, granting an extension to February 18, 2010, for opening the public hearing;
9. Memorandum to Leonard Tundermann dated January 4, 2010, from David Askew, District Manager, North Central Conservation District, Inc., regarding stormwater management review, 53 Hartford Turnpike.
10. Memorandum to Leonard Tundermann dated January 18, 2010, from Debra W. Hughes, P.E., addressing comments by David Askew of the North Central Conservation District;
11. Report (certified letter of decision) of the Inland Wetlands Commission regarding Inland Wetlands Commission approval of redesignation of wetlands and issuance of wetlands permit at 53 Hartford Turnpike (Assessor's ID: Map #01, Block #0158, Lot/Parcel # 00053).
12. Memorandum to the Planning and Zoning Commission dated February 8, 2010, from the Design Review Advisory Commission.

This approval is granted because the PZC finds that the application, as presented by the applicant and as amended by the stipulations of this approval, complies with applicable requirements of the Vernon Zoning Regulations and satisfies the requirements of section 17.3 governing special permits.

This approval is effective [DATE-1], and UPON THE RECORDING OF THIS APPROVAL LETTER WITH THE TOWN CLERK. A signed copy of this letter must also be returned to the Town Planner's office within fifteen (15) days of the effective date, or by [DATE-2].

The Commission hereby approves this Special Permit and Site Plan of Development subject to the following conditions, modifications, restrictions, and safeguards:

1. The above-referenced plans, as modified by these conditions, shall be placed on two sets of Mylar bearing this approval letter, stamped "APPROVED," and signed by the Planning & Zoning Commission (PZC). Said plans shall be filed by the applicant with the Town Planner and Town Clerk by [DATE-3], which is within 90 days of the effective date.
2. The applicant/developer shall submit a fully executed Hold Harmless Agreement in compliance with the Town of Vernon approved form.
3. The applicant shall submit to the Town Planner two (2) bonds consisting of a performance bond in the amount of \$_____ and an Erosion and Sedimentation Control Bond in the amount of \$_____ in compliance with Commission policy approved January 14, 1985, as amended to June 1, 1991. The bonds are subject to subsequent modification if additional plan review or site modifications dictate.
4. All necessary approvals and permits shall be obtained from the Water Pollution Control Authority.
5. Building Permits for improvements may be obtained only if stipulations # 1-4 are met.
6. Construction drawings shall be submitted to the Town Engineer prior to starting any site work.

Attachment A (cont)

7. No site preparation work, including, but not limited to, grading, tree removal, on-site storage of materials and excavation work, may commence until the erosion and sedimentation control bond and hold harmless agreements have been posted, erosion and sedimentation control measures have been installed, and a preconstruction meeting has been held with the Town Engineer and Town Planner, or their designees.
8. The applicant/developer shall be responsible for erosion and sedimentation control in accordance with the approved plan; failure to adhere to the plans, or create any discharge of materials, shall be considered a violation; remedial action may include the calling of the E&S bond; no bond shall be released until any ESCP violations have been remediated.
9. All work in connection with this site plan shall be completed within five years after the approval of the plan, or by [DATE-4].
10. Dumpsters shall be provided on-site during construction.
11. There shall be no on-site burial of building materials or debris, and a statement to this effect shall be submitted to the Town planner prior to the release of bonds.
12. Any streets, roads, sidewalks, and curbs are to be repaired or replaced, including damage due to construction activities, if required in the opinion of the Town Engineer per Commission Policy approved January 14, 1985, as amended June 1, 1998.
13. All site improvements shall be completed prior to release of the bonds.
14. The hotel operator shall put into place and formalize the Emergency Evacuation Plan identified as document #7, above, and shall periodically train hotel staff in the implementation of it.
15. The access and utility easement to the property N/F Talcottville Development Co. LLC shall be revised to include trail access for the Hockanum River Linear Park prior to issuance of a Certificate of Occupancy.
16. All requirements and conditions of approval by the Vernon Inland Wetlands Commission shall be satisfied prior to release of bonds.
17. A complete improvement location survey (as-built) plan of the addition shall be submitted to the Town Planner for approval per Town Engineering Policy and shall also be submitted as AutoCAD 2005 files on a CD-ROM prior to release of bonds.

Attachment B

DRAFT MOTION

**PZ-2009-27
Site Plan of Development
Roland Violette**

MOVED, that the Vernon Planning & Zoning Commission does hereby APPROVE, as amended herein, Application [PZ-2009-27] of Roland Violette for approval of a Site Plan of Development for a bulk petroleum storage and wholesale distribution facility for propane at #60-62 Industrial Park Road (Assessor's ID: Map# 30, Block #0133, Lot/Parcel 0005G)

This approval is granted in accordance with plans entitled:

<p style="text-align: center;">Site Plan Prepared For Preferred Propane #60/62 Industrial Park Road Vernon, Connecticut Tarbell, Heintz & Assoc., Inc. 1227 Burnside Ave. Ste. 31, East Hartford, CT Date: 8-06-09, Revised 11-23-09, 1-21-10, 2-09-09 (sic) Scale: 1"=40' Sheet 1 of 2</p>	<p style="text-align: center;">Notes & Details Prepared For Preferred Propane #60/62 Industrial Park Road Vernon, Connecticut Tarbell, Heintz & Assoc., Inc. 1227 Burnside Ave. Ste. 31, East Hartford, CT Date: 2-09-10 Scale: As Shown Sheet 2 of 2</p>
---	---

<p>Building plans by ATY Building Systems Date: 1/22/09, Revised 5/18/09 Sheets E1, E4,E7, & A1</p>

and such revisions to said plans as may be required by this approval;

In addition to the above-referenced plans, this approval is granted in accordance with an application dated November 30, 2009, a public hearing opened on January 21, 2010, continued to February 4, 2010, and to February 18, 2010, and closed on that date, and in accordance with the following documentation submitted by the applicant or otherwise received by the Commission:

- I. Letter to the Office of the Town Planner dated November 28, 2009, by Lilymaxjack, LLC authorizing Roland Violette to apply for the installation of propane storage tanks on the referenced property;

Attachment B (cont)

2. Prospective Fire Safety Analysis for Proposed Propane Storage Facility at 60 Industrial Park Road, Vernon, CT 06066, Six 30,000 Gallon Aboveground Tanks, January 14, 2010, Prepared by Richard Lavengood, RELCO Engineering, 293 Jarvis Ave., Holyoke, MA 01040;
3. Fire Marshal's Report to P and Z, 60 Industrial Park Rd, Roland Violette Bulk Propane, no date.

This approval is granted because the PZC finds that the application, as presented by the applicant and as amended by the stipulations of this approval, complies with applicable requirements of the Vernon Zoning Regulations.

This approval is effective _____, 2010, and UPON THE RECORDING OF THIS APPROVAL LETTER WITH THE TOWN CLERK. A signed copy of this letter must also be returned to the Town Planner's office within fifteen (15) days of the effective date, or by _____, 2010.

The Commission hereby approves this Modification of a Site Plan of Development subject to the following conditions, modifications, restrictions, and safeguards:

1. The above-referenced plans, as modified by these conditions, shall be placed on two sets of Mylar bearing this approval letter, stamped "APPROVED," and signed by the Planning & Zoning Commission (PZC). Said plans shall be filed by the applicant with the Town Planner and Town Clerk by March 31, 2010, which is within 90 days of the effective date.
2. The applicant/developer shall submit a fully executed Hold Harmless Agreement in compliance with the Town of Vernon approved form.
3. The applicant shall submit to the Town Planner two (2) bonds consisting of a performance bond in the amount of \$_____ and an Erosion and Sedimentation Control Bond in the amount of \$_____ in compliance with Commission policy approved January 14, 1985, as amended to June 1, 1991. The bonds are subject to subsequent modification if additional plan review or site modifications dictate.
4. All approvals and permits shall be obtained from the North Central District Health Department;
5. The applicant shall provide documentation of acceptance and approval of this code modification request to use an alternative code of the 2005 NFPA Code for design of the facility by the Connecticut State Fire Marshal's Office;
6. Building Permits for improvements may be obtained only if stipulations # 1-5 are met.
7. No site preparation work may commence until the erosion and sedimentation control bond and hold harmless agreement have been posted and erosion and sedimentation control measures have been installed.
8. The applicant/developer shall be responsible for erosion and sedimentation control in accordance with the approved plan; failure to adhere to the plans, or create any discharge of materials, shall be considered a violation; remedial action may include the calling of the E&S bond; no bond shall be released until any ESCP violations have been remediated.
9. All work in connection with this site plan shall be completed within five years after the approval of the plan, or by December 3, 2014.
10. Dumpsters shall be provided on-site during construction.

Attachment B (cont)

11. There shall be no on-site burial of building materials or debris, and a statement to this effect shall be submitted to the Town planner prior to the release of bonds.
12. Any streets, roads, sidewalks, and curbs are to be repaired or replaced, including damage due to construction activities, if required in the opinion of the Town Engineer per Commission Policy approved January 14, 1985, as amended June 1, 1998.
13. All site improvements shall be completed prior to release of the bonds.
14. A complete improvement location survey (as-built) plan is to be submitted to the Town Planner for approval per Town Engineering Policy and shall also be submitted as AutoCAD 2005 files on a CD-ROM prior to release of bonds.