

**TOWN OF VERNON
Planning & Zoning Commission (PZC)
Special Meeting Notice
Thursday, February 4, 2010, 7:00 PM
Auditorium, Second Floor
Vernon Senior Center
26 Park Place
Rockville/Vernon, CT**

RECEIVED
VERNON TOWN CLERK
10 MAY 10 PM 2:28

1. Call to Order & Roll Call

- **Meeting was called to order at 7:05 P.M.**
- **Regular members Present:** Lester Finkle, Chester Morgan, Francis Kaplan, Walter Mealy and Keith Lauzon. Sarah Iacobello entered the meeting at 7:40 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:** Leonard Tundermann, Town Planner.
- **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 under agenda item #6 "Other Business"

- **Chester Morgan, seconded by Francis Kaplan moved a Motion to Adopt the Agenda. Motion carried unanimously.**

2.3 Acceptance of Minutes

- **None**

3. Public Hearings

3.1 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)

- **Leonard Tundermann, Town Planner indicated that staff was waiting for revised plans.**
- **Francis Kaplan, seconded by Keith Lauzon moved a Motion to Continue the Application to the February 18, 2010 meeting. Motion carried unanimously.**

3.2 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)

- **Leonard Tundermann, Town Planner read the Legal Notice into the record.**

- **Presenting for the Applicant: Deborah Hughes, Gary Frank, Gary Patel and Stephen Sulway.**
 - ◆ **Proposing demolishing the existing structure and relocation proposed structure adjacent to the highway.**
 - ◆ **Approved by Design Review Commission, Inland Wetlands Commission, Traffic Authority. Met with Conservation Commission.**
 - ◆ **Discussed safety with the Fire Marshal.**
 - ◆ **Special Permits are required for:**
 - **Excavation in an Aquifer area.**
 - **Hotel in a Commercial District**
 - **Lot coverage greater than 60 %**
 - **Parking of over 40 spaces;**
 - **Structure greater than 2-stories.**
 - ◆ **Gary Frank Architect, Architect Group 3:**
 - **Proposing to construct a Four-Story Spring Hill Suite Hotel;**
 - **122 room wood frame;**
 - ◆ **Friends of Hockanum River have requested an easement for a Riverwalk. Owner is in favor of granting the easement.**
 - ◆ **Staff Input:**
 - ◆ **Leonard Tundermann, Town Planner:**
 - **Special Permit is required for Hotel in a Commercial Zone;**
 - **Flooding concerns at the site have been reviewed;**
 - **Emergency Evacuation Plan was supplied to Staff for review due to flooding concerns;**
 - **Has been referred to the North Central Conservation District (NCCD) due to proximity to the river;**
 - **Comments were received from Deborah Hughes relative to concerns of North Central Conservation District (NCCD)**
 - **Easement for secondary emergency access still on hold with owners.**
 - ◆ **Victor Riscassi questioned the review of adequate pressure for sprinklers and Water Treatment Facility has adequate capacity.**
 - ◆ **Leonard Tundermann, Town Planner stated that lack of comment from the Fire Marshal would seem to indicate adequate pressure. Has no information on capacity levels for sewer discharge.**
 - ◆ **Deborah Hughes indicated that the Site has been redesigned to allow for emergency egress from the site.**
 - ◆ **Terry McCarthy, Town Engineer stated that he had reviewed proposed changes for emergency egress. Has not reviewed the necessity for an easement.**
 - **Existing drainage system on site would be improved.**
 - ◆ **Leonard Tundermann, Town Planner suggested review of easement necessity.**
 - ◆ **Public Comment (7:29 P.M.)**
 - **None**
 - ◆ **Public Comment closed at 7:30 P.M.**

- ◆ **Rebuttal & Summation**
 - ◆ **Deborah Hughes stated that the existing cross-easements should be adequate and would forgo a formal emergency access easement.**
 - ◆ **Public Hearing was closed at 7:32 P.M.**
 - ◆ **Chester Morgan, seconded by Francis Kaplan moved a Motion to Direct Staff to Draft a Motion for Approval. Motion carried unanimously.**
 - ◆ **Francis Kaplan, seconded by Walter Mealy moved a Motion to Continue the Application to the February 18, 2010 meeting. Motion carried unanimously.**
- 3.3 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 #41, Lot/Parcel #17 & #18)
- ◆ **Leonard Tundermann, Town Planner read the Legal Notice into the record.**
 - ◆ **Attorney Stephen Ford, Ford Oberg LLC, representing the applicant:**
 - **Requesting Zone Change adjacent to Route 83 to allow for expansion of existing business**
 - **No dry cleaning would take place in proposed expansion lot.**
 - **4.9.2.7 requires Special Permit in a Commercial Zone**
 - ◆ **Sarah Iacobello entered the meeting at 7:40 P.M.**
 - ◆ **Victor Riscassi returned to alternate member at 7:40 P.M.**
 - ◆ **Staff Input:**
 - ◆ **Leonard Tundermann, Town Planner reviewed application review memorandum dated January 1, 2010.**
 - **Would require finding the proposed change is consistent with the Plan of Conservation and Development;**
 - **Reviewed existing surrounding structures;**
 - **Need to manage new development in mature areas;**
 - **Supplied aerial photo of surrounding area.**
 - **Chester Morgan felt it would be a good use of the property.**
 - **Charles Bardes**
 - ◆ **Public Comment (7:51 P.M.)**
 - ◆ **Nathan Symes, 8-10 Regan Street LLC – opposed to the change based on**
 1. **Safety – roadways are narrow in the area;**
 2. **Negative impact to residential property values;**
 3. **Impact to existing rentals;**
 4. **Concerned with possible environmental impact.**
 - ◆ **Public Testimony was closed at 7:55 P.M.**
 - ◆ **Rebuttal & Summation:**
 - ◆ **Feels ingress/egress from the site should be addressed during the main Site Plan review.**
 - ◆ **Leonard Tundermann, Town Planner questioned the possibility of splitting the lot based on the residential use.**
 - ◆ **Attorney Ford felt the issue would be better addressed during the Site Plan review.**

- ◆ Charles Bardes, seconded by Chester Morgan moved a Motion to Continue the Application to the February 18, 2010 meeting. Motion carried unanimously.
 - ◆ Five minute recess at 8:00 P.M.
 - ◆ Meeting reconvened at 8:15 P.M.
- 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)
- ◆ Attorney Familigetti supplied supporting letter for the application and financial impact.
 - ◆ Town Attorney has requested the statement "Town officials are cautioned against speaking on this or any other zoning application even if a resident of Vernon."
 - ◆ Lester Finkle requested the public to refrain from outbursts during and after presentations.
 - ◆ Victor Riscassi stated he would recuse himself from the application due to previous absence from the Public Hearing.
 - ◆ Public Comment (Continued)
 - ◆ Jennifer Roggi, 2 Pineview Drive – requested to defer to the next scheduled meeting.
 - ◆ John Goercki, 405 Bolton Road:
 - Opposed to the proposed venue
 - Concerned with unnecessary use of Town Staff to review a inappropriate application for Development;
 - Concerned with proximity to Aquifers;
 - Spoke to State Department of Environmental Protection (DEP) regulation 22a-69-3.1;
 - Feels development is not appropriate based on Plan of Conservation and Development (POCD) page #125;
 - Excess traffic in the area would cause hazardous conditions and pollution;
 - Concerned with possible light pollution in the area;
 - Proposed site is located in a Natural Diversity Area (DEP).
 - ◆ Janice Allen, 56 Elizabeth Lane:
 - Opposed due to noise and traffic pollution;
 - Concerned with impact to property value.
 - ◆ Gerri Phelps, 100 Tallwood Drive:
 - Opposed due to traffic and noise pollution.
 - ◆ John Roe, 70 Valley Falls Road:
 - Opposed to the application;
 - Does not feel its is compatible with Section 17.3 of the Zoning Regulations;
 - Suggested limiting concert to 10:00 P.M.;
 - Suggested no alcohol be served for the first (1) year;
 - Suggested limiting approvals to allow from the public to become accustomed to the venue.

- ◆ **Robert Lyle, Tumblebrook Drive:**
 - Concerned with the process for the sound testing
- ◆ **Robert Stocks, 385 Bolton Road (reading for Brenda Stocks):**
 - Felt the application did not comply with Section 17.3 of the Zoning Regulations;
 - Concerned with limited police to patrol the area;
 - Spoke to 22a-69-2.3 of DEP Sound Regulations – designate areas where human beings sleep;
- ◆ **Karen Wassell, 5 Pineview Drive (reading for Maxwell Belding)**
 - Opposed to proposed concert venue.
- ◆ **Carol Kibbe, 11 Valley View Lane:**
 - Opposed based on noise pollution;
 - Concerned with possible long-term effects of excessive noise to adjacent neighborhoods;
 - Concerned with possible trash impact;
 - Opposed due to possible impact of traffic.
- ◆ **Douglas Moser, 245 Bamforth Road:**
 - Felt the application was improperly classified based on Section 12-1-20 ;
 - Does not comply with Section 12.1.2 for parking;
 - Opposed to the application.
- ◆ **Peter Stone, 8 Hansen Drive:**
 - Requested clarification on sound issues and testing that was conducted;
 - Suggested a new sound test be conducted and announced for the public and requested commissioners be present for review.
- ◆ **Robert Kehmna, 236 Brandy Hill Road:**
 - Concerned with traffic impact in the area;
 - Concerned with sale of alcohol at the venue;
 - Opposed to the application;
- ◆ Five minute recess at 9:45 P.M.
- ◆ Meeting reconvened at 10:02 P.M.
- ◆ **Linda Vendrillo, 50 Valley Falls Road:**
 - Concerned with impact of trash on the wetlands and the aquifer;
 -
 - Feels it does not comply with Section 17.3 of the Zoning Regulations;
 - Concerned with possible impact of trash on surrounding waterways;
 - Felt sound testing time was inappropriate.
- ◆ **Francis Kaplan, seconded by Chester Morgan moved a Motion to Continue the Application to the February 18, 2010 meeting. Motion carried unanimously.**

4. Old Business

4.1 Plan of Conservation and Development

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;
 - **Carry over to next Agenda**

5. New Business.

5.1 Receipt of Applications:

5.1.1 Application [**PZ-2010-03**] of Dipen Shah for a Special Permit for Wine & Liquor Store at 30 Lafayette Square (10 Hyde Ave) (Assessor's ID: Map #46, Block #0071, Lot/Parcel #0019A)

- **Leonard Tundermann, Town Planner indicated that the application requires a Special Permit for Sale of Alcohol.**
- **Chester Morgan, seconded by Keith Lauzon moved a Motion to Receive and Schedule a Public Hearing for March 4, 2010. Motion carried unanimously.**

6. Other Business

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

- **None**

7. Adjournment.

- **Keith Lauzon, seconded by Charles Bardes moved a Motion to Adjourn. Motion carried unanimously.**
- **Meeting adjourned at 10:17 P.M.**

James Krupienski
Recording Secretary