

**TOWN OF VERNON**  
**RECEIVED**  
**Planning & Zoning Commission (PZC)**  
**Minutes – Regular Meeting**  
**THURSDAY, MARCH 7, 2013, 7:00 P.M.**  
**Council Chambers, Third Floor**  
**Memorial Building**  
**14 Park Place**  
**Rockville/Vernon, CT**

1. Call to Order & Roll Call

- ◆ **Meeting was called to order at 7:00 P.M.**
- ◆ **Regular Members Present:** Francis Kaplan, Charles Bardes, Harry Thomas Victor Riscassi and William Roch.
- ◆ **Alternate Members Present:** Ron Scussel and Richard Dias. Ron succsel to sit for Dan Anderson.
- ◆ **Staff Present:** Leonard Tundermann, Town Planner, Shaun Gatley, Economic Development Coordinator, Raymond Walker, Fire Marshal, Harry Boyko, Building Official, Andrew Marchese, Zoning Enforcement Officer
- ◆ **Recording Secretary:** James Krupienski

2. Administrative Actions/Requests

2.1 Amendment/Adoption of Agenda - Additional business to be considered under agenda item #4 "Other Business"

- ◆ **Charles Bardes, seconded by Harry Thomas moved a Motion to adopt of the Agenda as revised to March 6, 2013. Motion carried unanimously.**

2.2 Communications received NOT related to Agenda items

- ◆ **None**

2.3 Approval of Minutes: 12/20/1012, 1/3/2013, 2/21/2013

- ◆ **Harry Thomas, seconded by Charles Bardes moved a Motion to adopt of the Regular Meeting minutes of December 20, 2012. Motion carried unanimously.**
- ◆ **Charles Bardes, seconded by Harry Thomas moved a Motion to adopt of the Regular Meeting minutes of January 3, 2013. Motion carried unanimously.**
- ◆ **Harry Thomas, seconded by Ron Scussel moved a motion to move the February 21, 2013 minutes to the March 21, 2013 meeting. Motion carried unanimously.**

3. Public Hearing

3.1 Application (PZ-2013-01) of Vernon Planning Department for amendments to the Zoning Regulations, Sections 4.9.2, 4.9.3, 4.9.4, 11.1, and 12.3 to restrict the sale of used vehicles, change motor vehicle servicing from special exception use to special permit use, change the threshold for prohibiting re-establishment of a nonconforming use, and prohibit parking within lot setbacks; insert new section 12.5 to give the PZC authority to require driveway connections between adjoining properties, and insert new section 12.6 to establish provisions for shared parking.

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

*Public Notice  
Town of Vernon*

*The Vernon Planning & Zoning Commission (PZC) will hold the following public hearing at its regular meeting at 7:00 PM on Thursday, March 7, 2013, in the Town Hall Council Chambers on the Third Floor at 14 Park Place, Rockville/Vernon:*

*Application (PZ-2013-01) of the Vernon Planning Department for changes to the following sections of the Vernon Zoning Regulations:*

- 4.9.2 add item 13 to restrict sale of used vehicles except when affiliated with the sale of new vehicles in the commercial zone;*
- 4.9.3 delete motor vehicle service facility as a special exception use in the commercial zone;*
- 4.9.4 add motor vehicle servicing and preclude sale of used vehicles with automotive repairing as special permit uses in the commercial zone;*
- 11.1.1 add amendment of regulations as a threshold for determination of nonconforming use;*
- 11.1.1.2 change the threshold for prohibiting re-establishment of a nonconforming use from one year of non-use to three months of non-use;*
- 12.3 allow driveways within lot setback areas but prohibit parking within them;*
- 12.5 add as a new section to establish the Planning and Zoning Commission's authority to require driveways connections between adjoining lots for access management;*
- 12.6 add as a new section to provide for shared parking within mixed use development or for adjacent commercial or industrial properties,*

*This PZC application is available for inspection by the public. in the office of the Town Clerk, Vernon Town Hall; 14 Park Place, and in the office of the Planning Department, 55 West Main Street, both in Rockville, CT.*

*Francis Kaplan, Chairperson  
Planning & Zoning Commission (PZC)*

- ◆ Leonard Tundermann, Town Planner reviewed proposed regulation changes and reasons for each change.
  - Limit sale of used vehicles to new car dealerships only, but would allow for existing used dealers until use is discontinued for a period greater than three (3) months.
  - Proposing cross-access easements regulations to allow for reduction in curbcuts with adjacent properties.
  - Allowance for a driveway within the property set-back area but would be unable to park within the driveway setback.
  - Removal of shared parking as a variance and place the determination under the jurisdiction of the PZC instead of the ZBA.
- ◆ Charles Bardes questioned if the proposed changes were required to be voted on as a single motion.
- ◆ Leonard Tundermann, Town Planner indicated that they could be divided and voted on individually.
- ◆ Raymond Walker, Fire Marshal:

- **Issues with stacking of vehicles, proximity of vehicles to structures, overcrowding of lots.**
- ◆ **Francis Kaplan questioned if there were regulations determining limits and placement of vehicles on a specific size lot.**
- ◆ **Leonard Tundermann, Town Planner indicated that previously the ZBA would issue a variance that would limit the amount of vehicles that would be allowed on the site.**
- ◆ **Andrew Marchese, Zoning Officer:**
  - **Difficulty in enforcing vehicle limits on most used dealerships due to limited information on prior variances.**
- ◆ **Harry Boyko, Building Official:**
  - **Proposed changes to the regulation will allow for upgrading on structures under the site plan review regulations and allow for compliance with current building codes.**
  - **Current regulations do not allow for inspection and upgrade when businesses are transferred to new ownership.**
- ◆ **Discussion took place regarding if and how the proposed regulation for used car dealerships would have any impact.**
- ◆ **Harry Thomas, seconded by Charles Bardes moved a motion to divide the question. Motion carried unanimously.**
- ◆ **William Roch, seconded by Harry Thomas moved a motion to approve §4.9.2, §4.9.3, §4.9.4, §11.1.1 and §11.1.1.2 as presented. Motion carried. Commissioners Bardes and Scussel opposed.**
- ◆ **Harry Thomas, seconded by William Roch moved a motion to Continue the application to the March 21, 2013 meeting. Motion carried unanimously.**

#### 4. Other Business

##### 4.1 Regulating the use of uniform temporary signs on commercial properties.

- ◆ **Shaun Gatley, Economic Development Coordinator:**
  - **Reviewed the difficulty in handling compliance issues with businesses utilizing temporary signage outside of the approved Downtown Rockville area.**
  - **Requested the commission to begin drafting of proposed regulations to allow for better regulation throughout the Town.**
- ◆ **Harry Thomas, seconded by William Roch moved a Motion to encourage the Staff to investigate the use of temporary signs. Motion carried unanimously.**

##### 4.2 Formation of standing committee to review the POCD

- ◆ **Leonard Tundermann, Town Planner reviewed the requirement of the Commission By-Laws to create a three (3) member sub-committee to review and update the POCD on a quarterly basis.**
  - **Commissioners Harry Thomas, Victor Riscassi and William Roch volunteered.**

##### 4.3 Receipt of Applications

- 4.3.1 Application of the Vernon Planning Department (**PZ-2013-02**) for changes to the Vernon Zoning Regulations to require consideration of Low Impact Development (LID) techniques pursuant to Vernon's adopted LID Stormwater Quality Manual in site design.

- ◆ **Charles Bardes, seconded by Harry Thomas moved a motion to receive and schedule a Public Hearing on April 18, 2013. Motion carried unanimously.**

4.3.2 Application of the Vernon Planning Department (PZ-2013-03) for changes to the Vernon Subdivision Regulations to require consideration of Low Impact Development (LID) techniques pursuant to Vernon's adopted LID Stormwater Quality Manual in subdivision design.

- ◆ **Charles Bardes, seconded by Harry Thomas moved a motion to receive and schedule a Public Hearing on April 18, 2013. Motion carried unanimously.**

4.4 Additional business to be considered should be introduced under PZC meeting agenda item "#2.1 Amendment / Adoption of Agenda" at the beginning of the meeting.

- ◆ **None**

5. Adjournment.

- ◆ **Ron Scussel, seconded by William Roch moved a Motion to Adjourn. Motion carried unanimously.**
- ◆ **Meeting Adjourned at 8:47 P.M.**

James Krupienski  
Recording Secretary