

Town Clerk

**TOWN OF VERNON
Planning & Zoning Commission (PZC)
Minutes – Regular Meeting
Thursday, November 21, 2013, 7:00 PM
Council Chambers, Third Floor
Memorial Building
14 Park Place
Rockville/Vernon, CT**

RECEIVED
VERNON TOWN CLERK
13 DEC -3 PM 3:00

1. Call to Order & Roll Call

- ◆ **Meeting was called to order at 7:00 P.M.**
- ◆ **Regular Members Present:** Charles Bardes, Chester Morgan, Victor Riscassi and Harry Thomas.
- ◆ **Alternate Members Present:** Ron Scussel. Ron Scussel to sit for Francis Kaplan.
- ◆ **Staff Present:** Leonard Tundermann, Town Planner, Terry McCarthy, Town Engineer, Shaun Gately, Economic Development Coordinator
- ◆ **Recording Secretary:** James Krupienski

2. Administrative Actions/ Requests

2.1. Amendment / Adoption of Agenda - Additional business to be considered under agenda item #5 "Other Business"

- ◆ **Chester Morgan, seconded by Harry Thomas moved a Motion to Adopt the Agenda as Amended to November 21, 2013. Motion carried unanimously**

2.2. Communications received NOT related to Agenda items

- ◆ **None**

2.3. Acceptance of Minutes

- ◆ **Chester Morgan, seconded by Ron Scussel moved a Motion to Adopt the Special Meeting minutes of October 24, 2013. Motion carried unanimously.**

3. Public Hearings

3.2. Application (PZ-2013-20) of Northeast Retail Leasing & Management Company, LLC for a change of zone from Historic District - Industrial to Historic District - Downtown Business & Residential for property at 1 Court Street (Assessor's ID: Map #40, Block #0117, Lot/Parcel #00003)

- ◆ **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 a Regular Meeting at 7:00 P.M. on Thursday, November 21, 2013, in the Town Hall Council Chambers on the Third Floor at 14 Park Place, Rockville/Vernon.

Application (PZ-2013-20) of Northeast Retail Leasing & Management Company, LLC for a change of zone from Historic District - Industrial to

Historic District - Downtown Business & Residential for property at 1 Court Street (Assessor's ID: Map #40, Block #0117, Lot/Parcel #00003)

This Application is available for inspection by the public in the office of the Planning Department, 55 West Main Street, Rockville, CT.

Francis Kaplan, Chairperson

- ◆ Harry Thomas, seconded by Victor Riscassi moved a motion to continue the application to the January 16, 2014 meeting. Motion carried unanimously.

3.1. Application (PZ-2013-18) of the Vernon Planning Department for proposed changes to the Vernon Zoning Regulations, sections 1 (General), 3 (General Provisions), 4.9.2 (Permitted Uses, Commercial Zone), 7 (Cluster Development), and 12.1 (Off-street Parking and Loading)

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

*Public Notice
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Application (PZ-2013-18) of the Vernon Planning Department for proposed changes to the Vernon Zoning Regulations, sections 1 (General), 3 (General Provisions), 4.9.2 (Permitted Uses, Commercial Zone), 7 (Cluster Development), and 12.1 (Off-street Parking and Loading)

This Application is available for inspection by the public in the office of the Planning Department, 55 West Main Street, Rockville, CT.

Francis Kaplan, Chairperson

- ◆ Leonard Tundermann, Town Planner read the CRCOG memorandum dated October 3, 2013, and received November 1, 2013 from Lynne Pike DiSanto, ACIP into the record. (Attachment)
- ◆ Leonard Tundermann, Town Planner read the WINCOG memorandum dated November 6, 2013, and received November 20, 2013 from Katherine Holt, Chair into the record. (Attachment)
- ◆ Leonard Tundermann, Town Planner reviewed the proposed changes to the Zoning Regulations as supplied with the packet. (Attachment)
 - §1.3A – change allowed for the use of a D survey in place of a Class A-2 survey.
 - §3.7 – change to how obstructions are managed based on speed and minimum distance.
- ◆ Discussion took place regarding the use of roadway vs. street in the proposed change for consistency.
- ◆ Terry McCarthy, Town Engineer indicated that the State has informally reviewed the proposed change.
- ◆ Leonard Tundermann, Town Planner continued review of the proposed zoning changes.
 - §4.9.2.15 – new regulation to allow for multi-level indoor self-storage facility.
 - Proposed regulation was designed for possible future development.

- §7.5 – proposing to strike “...and either a public water supply or a state approved community water supply.”
- ◆ Harry Thomas questioned the need for six (6) loading doors at a storage facility.
- ◆ Leonard Tundermann, Town Planner indicated that
- ◆ Charles Bardes questioned the removal of public water connections in a cluster development.
- ◆ Discussion took place regarding private wells and connection to public water.
- ◆ Commission discussion changed §7.5 – to read “No proposed cluster development shall be considered or approved unless the dwelling units on the proposed lots are to be serviced by public sewers or an individual lot water system approved by the North Central District Health Department (NCDHD).”
- ◆ Public Comment (7:35 P.M.) – None
- ◆ Public Hearing was closed at 7:36 P.M.
- ◆ Chester Morgan, seconded by Harry Thomas moved a motion to Approve the application as amended by the commission during discussion. Motion carried unanimously.

3.3. Application (PZ-2013-21) of Hafiza Naheed for a special permit to deposit 660 cu. yds. of fill on property between #21 and #25 Terrace Drive (Assessor’s ID: Map #07, Block #0037, Lot/Parcel #0044B)

- ◆ 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 a Regular Meeting at 7:00 P.M. on Thursday, November 21, 2013, in the Town Hall Council Chambers on the Third Floor at 14 Park Place, Rockville/Vernon.

Application (PZ-2013-21) of Hafiza Naheed for a special permit to deposit 660 cu. yds. of fill on property between #21 and #25 Terrace Drive (Assessor’s ID: Map #07, Block #0037, Lot/Parcel #0044B)

This Application is available for inspection by the public in the office of the Planning Department, 55 West Main Street, Rockville, CT.

Francis Kaplan, Chairperson

- ◆ Stanley Szeszowicki, Surveyor representing the applicant.
 - Owner had allowed placement of fill from a former development site within Town.
 - Existing fill violation will need to be corrected prior to beginning the next phase of development on the site.
- ◆ Leonard Tundermann, Town Planner indicated that approval of the current application would correct the zoning violation.
 - Updated mapping showing proper property lines will be required as part of any approval.
 - Erosion and Sediment Control Plan (ESCP) needs to be supplied with proposed controls.
- ◆ Commission discussion changes stipulation #8 of the proposed draft motion to be completed by the end of August 2014.
- ◆ Public Comment - None

- ◆ **Victor Riscassi questioned amount for the proposed bond.**
- ◆ **Terry McCarthy, Town Engineer indicated that based upon discussion of work to be completed the bond amount would be around \$6,600.00.**
- ◆ **Victor Riscassi stated that he believes future application review should not be reviewed until the appropriate bond is posted.**
- ◆ **Public Hearing was closed at 7:57 P.M.**
- ◆ **Chester Morgan, seconded by Victor Riscassi moved to approve the application Draft Motion as amended to include:**
 - **Stipulation #2 - \$6,600.00 bond amount.**
 - **Stipulation # 8 – All work in connection with the grading plan shall be completed by the end of August 2014.**
- ◆ **Motion carried unanimously.**

4. Other Business

4.1. Receipt of Application

4.1.1. Application (PZ-2013-22) of the Vernon Planning Department for proposed changes to the Vernon Zoning Regulations to add section 21 to establish regulations and map to create a Rockville Village District Overlay Zone.

- ◆ **Ron Scussel, seconded by Harry Thomas moved a motion to receive and schedule a Public Hearing on December 19, 2013. Motion carried unanimously.**

4.2. 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.

5. Adjournment.

- ◆ **Harry Thomas, seconded by Ron Scussel moved a Motion to Adjourn. Motion carried unanimously.**
- ◆ **Meeting Adjourned at 8:05 P.M.**

**James Krupienski
Recording Secretary**

Attachment



241 Main Street / Hartford / Connecticut / 06106
Phone (860) 522-2217 / Fax (860) 724-1274
www.crcog.org

RECEIVED

NOV 1 - 2013

October 30, 2013

TOWN PLANNER'S OFFICE

TO: VERNON PLANNING AND ZONING COMMISSION

REPORT ON ZONING REFERRAL Z-2013-84: Proposed zoning regulation amendments pertaining to proposed zone map changes, roadway obstructions and sight distances, climate controlled indoor self-storage and cluster developments.

COMMISSIONERS: Receipt is acknowledged of the above-mentioned referral. Notice of this proposal was transmitted to the Planning Division of the Capitol Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

COMMENT: The staff of the Regional Planning Commission of the Capitol Region Council of Governments has reviewed this referral and finds no apparent conflict with regional plans and policies or the concerns of neighboring towns.

Questions concerning this referral should be directed to Lynne Pike DiSanto.

In accordance with our procedures this letter will constitute final CRCOG action on this referral. The public hearing date has been scheduled for 11/21/2013.

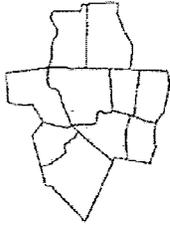
DISTRIBUTION: Planner: Tolland, Ellington, South Windsor, Manchester, Bolton, Coventry, Windham COG

Respectfully submitted,
Sandra Bobowski, Chairman
Regional Planning Commission

Karl Robert Profe, Vice Chairman
Regional Planning Commission

Lynne Pike DiSanto, AICP
Senior Planner and Policy Analyst

Attachment



WINDHAM REGION COUNCIL OF GOVERNMENTS

Chaplin Columbia Coventry Hampton Lebanon Mansfield Scotland Willington Windham

REGIONAL PLANNING COMMISSION

Date: November 6, 2013
Referral #: 13-11-04-VN
Report on: Zoning

VERNON

Self-storage facility-related regulations

To: Town of Vernon Planning & Zoning Commission
C/o: Leonard Tundermann, Town Planner

Commissioners;

This referral involves: A proposal concerning changes to self-storage facility-related regulations.

Receipt is hereby acknowledged of the above referral. Notice of the proposed changes to the Zoning Regulations were transmitted to the Windham Region Council of Governments under the provisions of Section 8-3b of the Connecticut General Statutes, as amended.

Comments for Inclusion in the Public Record: The Regional Planning Commission reviewed the proposed amendments to the zoning regulations. The commission offers recommendations on how proposals can better meet the goals and vision of the Windham Region Land Use Plan, WINCOG's regional guide for conservation and development. The recommendations of the Regional Planning Commission are purely advisory.

- The proposal is not anticipated to create any intermunicipal impacts.

Questions concerning this referral should be directed to Mark Paquette at the Windham Region Council of Governments.

Sincerely,

Katherine Holt, Chair
WINCOG RPC

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NOV 20 2013

TOWN PLANNER'S OFFICE

Distribution: L. Tundermann, Vernon; E. Trott, Coventry; CRCOG.
MAWINCOG Office R P COPY 2014 Referrals 13-11-04-VN.doc

Proposed Changes to the Vernon Zoning Regulations
 Application PZ-2013-17
 October 2013

Proposed additions shown in *bold italics*; proposed deletions shown in ~~strike throughs~~.

SECTION 1 – GENERAL

1.3A Proposed changes to the Zoning Map shall be identified on a map prepared to Class D survey accuracy showing the properties proposed for the zone change and all properties within a 200 foot radius of the boundaries of the proposed zone change. Owners shall be identified for all properties referenced above.

SECTION 3 – GENERAL PROVISIONS

3.7 **Obstructions At Street Roadway Intersections:** No fence, wall, hedge, shrubbery, tree canopy or other obstruction to *sight distance* vision shall be placed or allowed to be placed at street intersections, *private access road intersections, and driveway curb cuts* within the area formed by a line at joining points on each front lot line of twenty five (25) feet from the intersection of the tangents of such streets. *The minimum sight distance from the street intersection, private access road intersection or driveway curb cut shall be based on the posted speed for the approach roadway being intersected as indicated below. If the speed limit for the approach roadway is not posted, the sight distance shall be based on a speed limit of 30 miles per hour (MPH).*

<i>Posted Speed Limit</i>	<i>Minimum Sight Distance</i>
<i>30 MPH</i>	<i>350 feet</i>
<i>35 MPH</i>	<i>425 feet</i>
<i>40 MPH</i>	<i>475 feet</i>

The sight distance shall be based on th front of the approach vehicle being ten (10) feet back from the extended curb line of the intersecting roadway. The Town Engineer of his representative may vary the above minimum sight distances on Town roads when he/she deems it necessary and on State roads in consultation with the Connecticut Department of Transportation (CT DOT).

4.9 COMMERCIAL

4.9.2 Permitted Uses

4.9.2.15 Multi-story, climate controlled indoor self storage building, provided all services are contained within the building, the building contains at least 50,000 sq. ft. of floor area, the building exterior is designed with architectural styling and fenestration, and no more than six (6) overhead loading doors are

visible from the public street(s) on which the building and lot front unless screened from view.

SECTION 7 – CLUSTER DEVELOPMENT

- 7.5 No proposed cluster development shall be considered or approved unless the dwelling units on the proposed lots are to be serviced by public sewers and either a public water supply or a state approved community water supply.

SECTION 12 – OFF-STREET PARKING AND LOADING

- 12.1 Provisions. Off-street parking shall be provided for all uses in structures hereafter constructed or enlarged or in which there is a change of use in accordance with the following requirements:
- 12.1.27 *Climate controlled indoor self storage – two (2) parking spaces for employee parking and one (1) parking space for each 100 storage units.*

Attachment

DRAFT MOTION

**PZ-2013-21
Approval of Special Permit and Grading Plan
Hafiza Naheed**

MOVED, that the Vernon Planning & Zoning Commission does hereby APPROVE, as amended herein, Application [PZ-2013-21] of Hafiza Naheed for a special permit and a grading plan for property between #21 and #25 Terrace Drive (Assessor ID: Map #07, Block #0037, Lot/Parcel #0044B).

This approval is granted in accordance with a plan entitled

Site Plan
"Terrace View"
25 Terrace Drive Vernon, Connecticut
Scale: 1" (sic) = 20' August 8, 2013
plan revised: August 15, 2013
plan revised to show fill piles October 1, 2013
Prepared For Hafiza Naheed
Showing Existing And Proposed Improvements
Stanley W. Szeszowicki R.L.S. 7772
277 Goose Lane Tolland, Connecticut 860-875-3341 cell 860-965-7772

and such revisions to said plan as may be required by this approval.

In addition to the plans, this approval is granted in accordance with an application dated September 13, 2013, and a public hearing opened on November 21, 2013, and closed on that 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, if any, complies with applicable requirements of the Vernon Zoning Regulations and satisfies the requirements of section 14 governing site plans and section 17.3 governing special permits.

This approval is effective the later of December __, 2013, or UPON THE RECORDING OF THE APPROVAL LETTER AND CERTIFICATE OF SPECIAL PERMIT WITH THE TOWN CLERK. A signed copy of this letter should also be returned to the Town Planner's office within fifteen (15) days of the recording date.

The Commission hereby approves the special permits and site plan of development subject to the following conditions, modifications, restrictions, and safeguards:

1. The above-referenced plan shall be modified to show the survey boundary between the subject parcel and the adjoining parcel having Assessor's ID: Map #07, Block #0037, Lot/Parcel #0044C; improvements proposed for the parcel #0044C shall be removed from the cited plan for the purpose of this special permit;

2. The applicant or her agent shall submit to the Town Planner an instrument of financial guarantee in the form of a cash bond to the PZC for Erosion and Sedimentation Control in the amount of \$ _____; the Erosion and Sedimentation Control financial guarantee must be submitted prior to the start of any site grading;
3. No site grading may commence until the erosion and sedimentation control financial guarantee has been posted and erosion and sedimentation control measures have been installed;
4. The applicant shall be responsible for erosion and sedimentation (E&S) 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 financial guarantee; no financial guarantee of E&S controls shall be released until any ESCP violations have been remediated;
5. Dumpsters shall be provided on-site during construction;
6. 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;
7. 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;
8. All work in connection with the grading plan shall be completed within five years after the approval of the plan, or by _____, 2018;
9. [Other stipulations that may be imposed by the PZC.]