TOWN OF VERNON
Planning & Zoning Commission (PZC)
Meeting Minutes – *APPROVED*
Thursday, September 17, 2015
7:30pm
Council Chambers, Third Floor
Memorial Building
14 Park Place, Vernon, CT

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1. Call to Order & Roll Call

- Meeting was called to order by Chairman Charles Bardes at 7:30 pm.
- **Regular members present:** Wes Shorts, Victor Riscassi, Charles Bardes, Hector Reveron, Roland Klee sitting in for Peter Hobbs, and Chet Morgan sitting in for John Kleinhans.
- **Staff Present:** Shaun Gately, Interim Town Planner
- **Recording Secretary:** Audrey Lanz

2. Administrative Actions / Requests

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

- None

A motion to accept the agenda as presented was made by Chet Morgan and seconded by Wes Shorts. Motion passed unanimously.

2.2 Communications received NOT related to agenda items.

- None

2.3 Acceptance of Minutes from the 8/6/15 and 9/3/15 PZC meetings.

A motion to accept the minutes from the 8/6/15 PZC meeting was made by Wes Shorts and seconded by Roland Klee. Motion passed unanimously.

A motion to accept the minutes from the 9/3/15 PZC meeting was made by Wes Shorts and seconded by Chet Morgan. Motion passed unanimously.

2.4 Assignment of Delinquent Tax Liens for #229 Talcottville Road.

- Shaun Gately, Interim Town Planner, received a request to put a tax lien on #229 Talcottville Rd. pursuant to Municipal Code section 12-8(6)e.
- Shaun Gately, Interim Town Planner, read into record a draft letter assigning the lien.

Chet Morgan made a motion to approve the assignment of a tax lien for #229 Talcottville Rd. Victor Riscassi seconded the motion and the motion passed unanimously.

3. Public Hearings and Action on Applications

3.1 Application (PZ-2015-10) of First Hartford Realty Corp. for a Special Permit / Site Plan of Development to construct a Convenience Store / Gasoline Sales for Cumberland Farms at #343 Hartford Tpke (Assessor's ID: Map #11, Block #0011, Lot/Parcel #0008).

- Chairman Charles Bardes opened the Public Hearing at 7:35pm
- Shaun Gately, Interim Town Planner, read into record the Public Notice.
- Joseph Williams, Attorney at Shipman & Goodwin and representing the applicant, gave an overview of the application.
- Also representing the applicant was Chuck Meeks from First Hartford Realty and Patrick O'Leary project engineer from VHB.
- Joseph Williams, Attorney at Shipman & Goodwin, read into record a letter from the Law Firm of Jacobs, Walker, Rice and Barry detailing the 7 Special Permit requests for the application.
- Patrick O'Leary, project engineer, explained the plan layout and handed into record a site plan (exhibit #1).
- Patrick O'Leary, project engineer, talked about the trees and shrubs to be used on the property, the design elements of the building, and the type of underground gas tanks that will be installed.
- Patrick O'Leary, project engineer, gave an overview of the traffic study plan that was done on the area.
- Shaun Gately, Interim Town Planner, read into record comments from the Design Review Commission.
- a discussion ensued on the type of outdoor lighting that will be used, the number of gas pumps and pumping stations, hours of trash pickup, and the hours of fuel drop off.
- Members of the public spoke in regards to the application:
  - Robert Greenberg, retired Doctor, spoke in opposition of the application.
    - Robert Greenberg submitted into record a CT Traffic Facts Report (exhibit #2).
  - Jerome Lahman of Vernon Pediatrics spoke in opposition of the application.
  - Ellen Marmer, a doctor in Vernon, spoke in opposition of the application.
  - Richard Simon of 75 Box Mountain Dr. spoke in opposition of the application.
  - Patricia Berkery of 12 Old Dobson Rd. spoke in opposition of the application.
    - Patricia Berkery submitted into record a petition of 168 signatures of Vernon residents who oppose the application (exhibit #3).
  - Ann Letendre of 29 Gottier Dr. spoke in opposition of the application.
    - Ann Letendre submitted into record an aerial view of the site (exhibit #4)
    - Ann Letendre submitted into record pictures of other Cumberland Farms (exhibit #'s 5, 6 & 7).
    - Ann Letendre submitted into record the statement that she read (exhibit #8).
  - Mary Oliver of 15 Dobson Commons spoke in opposition of the application.
  - Ginny Gingras of 21 Timber Lane spoke in opposition of the application.
  - Eileen Doe of 137 Washington Street spoke in opposition of the application.
  - Jean M. of 144 Phoenix Street spoke in opposition of the application.
  - Joseph Williams, Attorney at Shipman & Goodwin and representing the applicant, asked for an extension of the Public Hearing until the next regularly scheduled PZC meeting on October 1, 2015.

Victor Riscassi made a motion to deny extension of the Public Hearing until the next regularly scheduled PZC meeting on October 1, 2015. Chet Morgan seconded the motion. There was a 3-3 tie of the commission members and the motion failed.

Chairman Charles Bardes made a motion to continue the Public Hearing on **Application (PZ-2015-10)** until the next regularly scheduled meeting on October 1, 2015. Hector Reveron seconded the motion and the motion passed 4-2 with opposition from Chet Morgan and Victor Riscassi.

Chairman Charles Bardes called a 10 minute recess at 9:30pm. Chairman Charles Bardes resumed the meeting at 9:40pm.

3.2 Application (PZ-2015-13) of Krause Realty Trust for a Zone Change from R-27 to Commercial at #34 & 42 Acorn Rd. (Assessor's ID: Map #01, Block #159, Lot/Parcel #0001 & #0002).

- Chairman Charles Bardes opened the Public Hearing at 9:42pm.
- Shaun Gately, Interim Town Planner, read into record the Public Notice.
- Leonard Jacobs, Attorney representing the applicant, presented the application and the reason for the zone change request.
- Applicant Peter Krause was also present.
- Ray Nelson, application surveyor, was also present.
- The Applicant is requesting a zone change from R-27 to Commercial in order to turn the parcel of land into a car holding lot for the Subaru dealership.
- Some stipulations set forth by the applicant:
  - No loud speakers or noise intrusions will be allowed on the property.
  - No traffic exiting onto Acorn or Allison Roads.
  - All lights will be low level and facing toward property front.
  - There will be a privacy fence enclosing the property.
  - No panic buttons will be used to find the cars.
- Leonard Jacobs, Attorney for the applicant, submitted the site plan into record (exhibit #1).
- Michael Ramsey, Vernon resident, spoke in opposition of the application.
- Lois Layton, Vernon Resident, spoke in opposition of the application.
- A discussion ensued on the site map mistake that was handed out to the public.
  - The residential properties where marked as commercial and the commercial properties where marked as residential.
- Chet Morgan made a motion to continue the Public Hearing for Application (PZ-2015-13) until the next regularly scheduled PZC meeting on October 1, 2015. Hector Reveron seconded the motion and the motion passed unanimously.

4. Other Business

4.1 Receipt of Application

- None

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.

- Chairman Charles Bardes has asked the Commission members to arrive at 7:15pm to PZC meetings to review any materials that may get passed out prior to the start of the meetings.

5. Adjournment

A motion was made by Wes Shorts and seconded by Chet Morgan to adjourn the meeting. The motion was carried unanimously. Meeting adjourned at 10:20 pm.

Respectfully Submitted,

Audrey Lanz

Audrey Lanz
Recording Secretary