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TOWN OF VERNON
Planning & Zoning Commission (PZC)
Minutes – Regular Meeting
Thursday, February 16, 2012, 7:00 PM
Council Chambers, Third Floor
Memorial Building
14 Park Place
Rockville/Vernon, CT

1. Call to Order & Roll Call

- ◆ **Meeting was called to order at 7:02 P.M.**
- ◆ **Regular Members Present:** Chester Morgan, Charles Bardes, Francis Kaplan, Victor Riscassi, William Roch and Harry Thomas
- ◆ **Alternate Members Present:** Daniel Anderson and Ron Scussel. Dan Anderson to sit for Stanley Cohen.
- ◆ **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 #6 "Other Business"

- ◆ **Chester Morgan, seconded by Charles Bardes to move Item #4.2 prior to Item #3.0 – Public Hearings.**
- ◆ **William Roch, seconded by Francis Kaplan moved a Motion to Adopt the Agenda as Amended through February 15, 2012 and discussion.**

2.2 Communications received NOT related to Agenda items

- ◆ **Connecticut Transportation Institute (CIT), Technology Transfer Center Workshop – On the Job Safety and OSHA Regulations flyer.**

2.3 Acceptance of Minutes

- ◆ **Francis Kaplan, seconded by Charles Bardes moved a motion to approve the Regular Meeting minutes of December 15, 2011. Motion carried unanimously.**
- ◆ **Charles Bardes, seconded by Francis Kaplan moved a motion to approve the Regular Meeting minutes of January 19, 2012. Motion carried unanimously. Harry Thomas abstained.**

4. Old Business

4.2 Review and discussion of interim subcommittee report on application PZ-2011-17, changes to Vernon Zoning Regulations

- ◆ **Charles Bardes reviewed prior sub-committee meeting which took place on February 13, 2012 to continue review.**
 - **Reviewing by reference allowed uses in other zones.**
 - **Next meeting scheduled for February 22, 2010.**

3. Public Hearings

3.1 Application [PZ-2012-02] of Thomas Scranton for a Site Plan Modification for Renovations and Building addition at #777 Talcottville Road (Assessor's ID: Map #7, Block #2, Lot/Parcel #78)

- ◆ 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, February 16, 2012, in the Town Hall Council Chambers on the Third Floor at 14 Park Place, Rockville / Vernon:

Application [PZ-2012-02] of Thomas Scranton for a Site Plan Modification for Renovations and Building addition at #777 Talcottville Road (Assessor's ID: Map #7, Block #2, Lot/Parcel #78)

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

*Chester Morgan, Chairperson
Planning & Zoning Commission (PZC)*

- ◆ Eric Peterson, Gardner & Peterson Associates, Tolland, CT; Phil Wilson, Megan Scranton, Ed Diamond, Dawson & Russell Architects:
 - Proposing two (2) additions to the existing structure;
 - Indoor valet-style pickup/drop-off area;
 - Expanded parts area;
 - Requesting Modification to existing Site Plan;
 - Special Permit modification due to Aquifer Protection Zone;
 - Erosion & Sediment Control Plan – disturbing greater than ½ acre;
 - Waiver of Sidewalks - §3-25
 - Addition is proposed on areas that are currently covered by impervious surface;
 - Adding seven (7) additional spaces for customer parking on left side of the building (3,370 sq/ft addition area);
 - Adding three (3) garage bays and enclosed service drop-off area (2,900 sq/ft addition);
 - ESCP – runoff would be collected in existing on-site system. Silt barriers will be added to block sediment during construction;
 - Wetlands review was not required;
 - Police Chief determined Traffic Authority review was not required;
 - Conservation Commission reviewed and supplied a memorandum Dated January 24, 2012;
 - Located within an Natural Diversity Database Area (NDDB) ;
 - Design Review Commission reviewed and supplied memorandum requesting review of reflectivity for proposed facade materials;
 - Robert M. Dawson, P.E., Russell & Dawson Architecture & Engineering supplied a letter to the commission, dated February 10, 2012 regarding the reflectivity of the material;
- ◆ Ed Diamond, Project Architect:
 - Approximate 6,000 sq/ft total development addition;
 - Utilizing GM branded National Design;
 - Facade is a vinyl composite material – no issue with reflectivity of material;
 - Utilizing White, Aluminum & Black;
- ◆ Francis Kaplan questioned the comments of the Fire Marshal relative to protection of gas storage pumps;
- ◆ Eric Peterson indicated that bollards have been existing on site;

- ◆ Daniel Anderson questioned the distance to the existing sewer trunk line easement;
- ◆ Eric Peterson indicated that it was a minimum of one hundred (100) feet from the development;
- ◆ Chester Morgan requested presentation regarding request to waive sidewalks;
- ◆ Eric Peterson reviewed memorandum dated February 15, 2012 relative to the proposal of waiver and upcoming project to be completed;
- ◆ Victor Riscassi questioned if pedestrians would have a push-signal for crossing of the proposed intersection;
- ◆ Eric Peterson indicated belief there would be a pedestrian cross signal.
- ◆ **Staff Input:**
- ◆ Leonard Tundermann, Town Planner reviewed staff comment memorandum dated February 9, 2012.
 - Natural Diversity Database review not likely to affect species;
 - Indicated floor plans should have dimension placed on the Architectural plans.
- ◆ Terry McCarthy, Town Engineer indicated that the applicant had relocated a drainage basin in the presented plans as requested.
- ◆ Shaun Gatley, Economic Development Coordinator supplied memorandum from the Design Review Commission relative to material reflectivity.
- ◆ Chester Morgan requested Terry McCarthy, Town Engineer to read the email relative to the installation of a new signalized intersection adjacent to the property.
- ◆ Terry McCarthy, Town Engineer read an email of Eric Peterson relative to the background of an upcoming installation of a signalized intersection.
- ◆ Public Comments: None
- ◆ Public Input: None
- ◆ Rebuttal & Summation – None
- ◆ Ten (10) minute recess at 7:40 P.M.
- ◆ Meeting reconvened at 7:50 P.M.
- ◆ Public Hearing was closed at 7:50 P.M.

- ◆ Charles Bardes, seconded by Francis Kaplan moved a Motion to Waive the installation of sidewalks on the site.
 - Charles Bardes – Yes
 - William Roch – Yes
 - Francis Kaplan – Yes
 - Victor Riscassi – Yes
 - Harry Thomas – Yes
 - Chester Morgan – Yes
 - Daniel Anderson – Yes
- ◆ Motion carried unanimously.

- ◆ Charles Bardes, seconded by Harry Thomas moved a Motion to Approve PZ-2012-02 based upon the Draft Motion as amended during discussion.
 - Additional stipulation – Add dimensions of the proposed addition to the Architectural Design Floor Plans.
 - Charles Bardes – Yes
 - William Roch – Yes
 - Francis Kaplan – Yes
 - Victor Riscassi – Yes
 - Harry Thomas – Yes

- **Chester Morgan – Yes**
- **Dan Anderson – Yes**

◆ **Motion carried unanimously.**

4. Old Business

4.1 Plan of Conservation and Development

- ◆ **Leonard Tundermann, Town Planner indicated that no new information had been received:**
 - **Staff has received a checklist from the Office of Policy and Management (OPM) relative to the State Plan of Conservation and Development for compliance;**
 - **Will review to determine items that will need referral to OPM.**

4.2 Review and discussion of interim subcommittee report on application PZ-2011-17, changes to Vernon Zoning Regulations

◆ **Moved prior to Item #3.0 – Public hearings in amended Agenda.**

5. New Business.

5.1 Receipt of Applications:

5.1.1 Application [PZ-2012-03] of Mark D'Addabbo dba NERP Holding & Acquisitions Co., LLC for resubdivision of property into two lots at #400 Talcottville Road (Assessor's ID: Map #09, Block #015H, Lot/Parcel #00026)

- ◆ **William Roch, seconded by Francis Kaplan moved a motion to Accept the Application. Motion carried unanimously.**
- ◆ **William Roch, seconded by Francis Kaplan moved a Motion to schedule a Public Hearing on March 1, 2012. Motion carried unanimously.**

5.1.2 Application [PZ-2012-04] of Mark D'Addabbo dba NERP Holding & Acquisitions Co., LLC for approval of special permits and a site plan of development to construct a 19,097 sq. ft. retail building and site improvements on property at #400 Talcottville Road (Assessor's ID: Map #09, Block #015H, Lot/Parcel #00026)

- ◆ **Charles Bardes, seconded by Francis Kaplan moved a Motion to Receive and Schedule a Public Hearing on March 1, 2012. Motion carried unanimously.**

6. Other Business

6.1 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.

7. Adjournment.

- ◆ **Harry Thomas, seconded by Francis Kaplan moved a motion to adjourn. Motion carried unanimously.**
- ◆ **Meeting adjourned at 8:00 P.M.**

James Krupienski
Recording Secretary

DRAFT MOTION

PZ-2012-02

**Approval of a Modification to a Site Plan of Development
Thomas Scranton/Scranton Motors**

MOVED, that the Vernon Planning & Zoning Commission does hereby **APPROVE**, as amended herein, Application [**PZ-2012-02**] of Thomas Scranton dba Scranton Motors for approval of a modification to a site plan of development for #777 Talcottville Road (Assessor ID: Map #07, Block #0002, Lot/Parcel #00038).

This approval is granted in accordance with plans entitled:

<p>Modification to Site Plan Scranton Motors 777 Talcottville Road~Conn. Route 83 Vernon, Connecticut <u>Owner/Applicant:</u> L. Thomas Scranton & S. Christopher Scranton P.O. Box 777 Vernon, CT 06066 <u>Land surveyor & Engineers:</u> Gardner & Peterson Associates, LLC 178 Hartford Turnpike Tolland, CT 06084 Scale 1"=100' Date 9-13-2011 Sheet No. 1 of 4</p>	<p>Existing Conditions Plan Prepared For Scranton Motors 777 Talcottville Road~CT Route 83 Vernon, Connecticut Gardner & Peterson Associates, LLC 178 Hartford Turnpike Tolland, CT Scale 1"=40' Date 9-13-2011 Sheet No. 2 of 4</p>
<p>Site Plan Prepared For Scranton Motors 777 Talcottville Road~CT Route 83 Vernon, Connecticut Gardner & Peterson Associates, LLC 178 Hartford Turnpike Tolland, CT Scale 1"=40' Date 9-13-2011 Sheet No. 3 of 4</p>	<p>Construction Details Prepared For Scranton Motors 777 Talcottville Road~CT Route 83 Vernon, Connecticut Gardner & Peterson Associates, LLC 178 Hartford Turnpike Tolland, CT Scale 1"=40' Date 9-13-2011 Sheet No. 4 of 4</p>

<p>Floor Plan Scranton Motors 777 Talcottville Road (RT. 83) Vernon, Connecticut 06066 Russell & Dawson Architecture & Engineering 330 Roberts St., East Hartford, CT 06108 Date: 07/22/2011 Scale: As Noted Sheet Number: A-1</p>	<p>Elevations Scranton Motors 777 Talcottville Road (RT. 83) Vernon, Connecticut 06066 Russell & Dawson Architecture & Engineering 330 Roberts St., East Hartford, CT 06108 Date: 07/22/2011 Scale: As Noted Sheet Number: A-4</p>
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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 January 10, 2012, a public hearing opened on February 16, 2012, and closed on that date, and in accordance with the following documentation submitted by the applicant or otherwise received by the Commission:

1. Stormwater Management Report, Modification to Site Plan of Development, Scranton Motors, 777 Talcottville Road, Vernon, Connecticut, January 12, 2012; Prepared By: Gardner & Peterson Associates, LLC; 178 Hartford Turnpike, Tolland, CT 06084;
2. Application review comments by Harry Dan Boyko, Building Official, 1/26/2012; by James Kenny, Police Chief, 1/26/2012; by Ray Walker, Fire Marshal, 1/27/2012; by Craig Perry, Senior Engineering Technician, 1/27/2012; and Eugene Orłowski, Sr., R.S., North Central District Health Dept., 1/31/2012;
3. Memorandum to the Planning and Zoning Commission dated January 24, 2012, from the Conservation Commission;
4. Memorandum to the Planning and Zoning Commission dated February 7, 2012, from Shaun Gately, Economic Development Coordinator;
5. Memorandum to the Planning and Zoning Commission dated February 9, 2012, from Leonard K. Tundermann, Town Planner;
6. Letter to Shaun Gately, Economic Development Coordinator, dated February 10, 2012, from Robert M. Dawson, P.E., Vice President Engineering, Russe; & Dawson;
7. Letter to Chester Morgan, Chairman, Planning & Zoning Commission, dated Febr 15, 2012, from Eric R. Peterson, P.E., L.S., Gardner & Peterson Associates, LLC.

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 14 governing site plans.

This approval is effective the later of [DATE 1] 2012, or UPON THE RECORDING OF THIS APPROVAL LETTER 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 effective date.

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

1. The PZC hereby waives the requirement for installation of sidewalk and granite curbing along the frontage of the property;
2. 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], 2012, which is within 90 days of the effective date;
3. The applicant/developer shall execute and submit a Hold Harmless Agreement in compliance with the Town of Vernon approved form;
4. The applicant shall submit to the Town Planner two (2) bonds or other surety consisting of a performance bond or other surety in the amount of \$ _____ and an Erosion and Sedimentation Control Bond or other surety in the amount of \$ _____ in compliance with Commission policy approved January 14, 1985, as amended to October 1, 2011. The bonds or other surety are subject to subsequent modification if additional plan review or site modifications dictate. The Erosion and Sedimentation Control bond or other surety must be submitted prior to the start of any site work. The performance bond or other surety may be submitted at any time before completion of site improvements.
5. All necessary approvals and permits shall be obtained from the Water Pollution Control Authority;
6. Construction drawings shall be submitted to the Town Engineer prior to starting any site work;
7. Building Permits for may be obtained only if stipulations # 2-5 are met;
8. No site preparation work may commence until the erosion and sedimentation control bond and hold harmless agreements have been posted and erosion and sedimentation control measures have been installed;
9. 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;
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 work in connection with this site plan shall be completed within five years after the approval of the plan, or by [DATE-4], 2017;
14. All site improvements shall be completed prior to release of the bonds;

15. A complete improvement location survey (as-built) plan of the addition shall be submitted to the Town Planner for approval per Town Engineering Policy prior to release of bonds;

16. [Other stipulations that may be imposed by the PZC.]

*Add details of the proposed addition
to the site plan.*