

**TOWN OF VERNON
Planning & Zoning Commission (PZC)
Draft Minutes - Special Meeting Notice
Wednesday, March 3, 2010, 7:00 PM
Auditorium, 2nd Floor
Vernon Senior Center
26 Park Place
Rockville/Vernon, CT**

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1. Call to Order & Roll Call

- **Meeting was called to order at 7:05 P.M.**
- **Regular members Present:** Lester Finkle, Chester Morgan and Francis.
- **Alternate Members Present:** Charles Bardes. Charles Bardes to sit for Watson Bellows.
- **Staff Present:** Leonard Tundermann, Town Planner
- **Recording Secretary:** James Krupienski

2. Public Hearings

2.1 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)

- ◆ **Leonard Tundermann, Town Planner reviewed a memorandum from Harold Cummings, Town Attorney dated March 3, 2010 relative to the "Role of Zoning Enforcement Officer and Zoning Commission in Interpretation of Town Zoning Regulations". (Attachment)**
- ◆ **James Bubaris, Bubaris Traffic Associates reviewed "Revised Parking Logistics dated February 22, 2010. (Attachment)**
- ◆ **Pat Settembrino, 188 Hatch Hill Road:**
 - **Concerned with traffic impact to secondary roads;**
 - **Crowd noise will be disruptive to the surrounding residences;**
 - **Concerned with Alcohol impact at the proposed venue;**
 - **Feels Legal Notice was misleading and incorrect.**
- ◆ **Roseanne Deschane, 91 Blue Ridge Drive – Deferred to speak.**
- ◆ **Sean West, 181 Tallwood Drive;**
 - **Felt proposed development was not compatible with the surrounding neighborhoods due to noises, traffic impact, trash, etc.**
- ◆ **Mark Boyer, 8 Pineview Drive;**
 - **Spoke to activities at 135-137 Bolton Road;**
 - **Concerned with emergency access to the proposed site;**
 - **Concerned with management of the property during the off-season;**
- ◆ **Edie & Lance Chernack, 50 Cubles Drive:**
 - **Opposed to the application – reviewed Ticket Network narrative;**
 - **Questioned quantity of and lengths of proposed concerts;**
 - **Public Safety – feels police force may not be able to handle additional impact from the venue;**
 - **Felt the application was inconsistent with Special Permit requirements §17.3.**
- ◆ **Maureen Donahue, 21 Canter Drive:**

- Concerned with Public safety and concert behavior of the patrons;
- Questioned possible wetlands approval for proposed sound barrier fence;
- Concerned on-street parking could occur in the area of the venue;
- Spoke to possible exemption from State sound regulations if Special Permit is approved;
- Concerned with possible light pollution by the stage area.
- ◆ **Frank Bifolk, 23 Elizabeth Lane:**
 - Spoke of impact to home sales in the area.
- ◆ **Jackie Cowling, 21 Valley View Lane:**
 - Spoke regarding indoor venue experience in Manchester.
 - Concerned With Public safety issues;
- ◆ **Kathryn Herbst, 8 Valley View Lane:**
 - Spoke to experience working at a similar venue previously;
 - Cited examples of Public Safety issues at a similar venue;
 - Concerned with health issues;
 - Concerned with approval by the Economic Development Commission.
- ◆ **Mark Cadman, 30 Valley Falls Road:**
 - Spoke to applicants sound report;
 - Felt enforcement of noise issues would be limited;
 - Application should be reviewed for suitability
- ◆ **Samantha Knapp, 21 Old Stone Road:**
 - Opposed to the application;
 - Spoke to Public Safety Issues.
- ◆ **Chris Haddock, 38 Merline Road:**
 - Felt commercial development will push limits on actions prior to enforcement actions.
- ◆ **Hal Carlson, 33 Deerfield Drive:**
 - Questioned traffic and possible patrons arriving at the site.
- ◆ **Debbie Jeffers, 155 Blue Ridge Drive:**
 - Spoke to occupancy proposed for the venue;
 - Suggested denial of venue and parking allowance.
 - Concerned with maximum allowable occupancy based on CT State Fire Code and State Building codes.
- ◆ **Harmon Howe, 9 Shady Brook Lane:**
 - In favor of proposed venue;
 - Employee of Ticket Network;
 - Spoke to increased tax revenue for the town;
- ◆ **Lorraine Defretas, 21 Hansen Drive:**
 - Has a petition with signatures from the neighborhood opposing the venue (read into the record);
 - Felt it does not meet §17 for Special Permit approval;
 - Not compatible with the surrounding neighborhood;
 - Concerned with possible noise impact by the venue;
- ◆ **Scott Wieting, 64 Valley Falls Road:**
 - Spoke to issues with the sound testing;
 - Concerned with low level noise (bass).
 - Suggested that commission utilize an independent sound expert to determine impact;

- ◆ **Attorney Famigiletti questioned Mr. Wieting relative who had left a message about the sound test.**
- ◆ **Mr. Wieting indicated that the Morhardt's had left a message regarding the sound test.**
- ◆ **5 minute recess at 8:3 P.M.**
- ◆ **Meeting reconvened at 8:45 P.M.**
- ◆ **Paul Margelony, Church Street (Vernon Depot)**
 - **Spoke to Public Safety regarding increased roadway traffic;**
 - **Spoke to sound from old trains using prior Rail-to-trail lines;**
- ◆ **Michael Winkler, 20 Gottier Drive:**
 - **Spoke to safety issues regarding serving alcohol and substance abuse at venues.**
- ◆ **David Herrmann, 521 Bolton Road:**
 - **Believes it should be denied based on not being allowed in the zone;**
 - **Disagrees with the opinion of the Zoning Enforcement officer;**
 - **Applicant should show proof of minimal noise impact;**
 - **Proposed venue could possibly be exempt from the State DEP noise regulations based on §22a-69-1.8(i).**
- ◆ **Gregory Grosso, Bolton Road**
 - **Concerned with increased traffic and speed in neighborhoods;**
 - **Concerned with hidden vehicles on the site;**
 - **Questioned monitoring of compliance with approved Special Permits;**
 - **Felt proposed venue would have minimal positive impact to businesses.**
- ◆ **Peter Miller, 22 Inland Drive:**
 - **Concerned with noise impact and felt sound study was insufficient;**
 - **4.9.2 – Indoor Movie Theater – permitted use**
 - **4.9.4 – ...Non-profit Recreation facility - ;**
 - **4.9.4.6 - Geared more to athletics;**
 - **4.20.4.12 – Commercial Recreation Facility**
 - **14.1.6 – restrictions of use variances;**
 - **Concerned with Public Safety;**
 - **Suggested Ecological review of the site.**
- ◆ **Joe Cappossela, 45 Hartford Turnpike:**
 - **Site for proposed development is commercial;**
 - **Need to review the Land Use – least impact to the property;**
 - **Plan of Conservation & Development (POCD) suggests non-cookie cutter development along I-84;**
 - **Commission needs to determine the best use of the property.**
- ◆ **Maryanne Levesque, 183 Bolton Road:**
 - **Concerned with proximity to personal residence;**
 - **Believes the proposed venue does not fit with the surrounding neighborhood.**
- ◆ **Greg Francis, 20 Tunnel View Terrace:**
 - **Preliminary Sound test impacted surrounding residences;**
 - **Believes proposed venue would be a nuisance to the surrounding neighborhood;**
- ◆ **Rosemarie Deschane, 91 Blue Ridge Drive:**
 - **Questioned the Home address of Attorney Cappossela.**

- Believes development should not impact surrounding residences.
- ◆ Attorney Cappossela indicated that he was a business owner at 45 Hartford Turnpike and his residence is located in South Windsor.
- ◆ Linda Morhardt, 114 Valley Falls Road:
 - Felt townspeople in favor of the application have knowledge of the application process currently taking place.
- ◆ Leonard Tundermann, Town Planner read form letter for opposition into the record;
 - 269 opposition form letters were received
 - 73 individual letters received;
 - 3 form letters styles in support of the venue;
 - 1 form letter from the Tolland County Chamber of Commerce
 - Letters from individuals of Chamber members supporting venue
 - 85 supporting form letters.
- ◆ Chester Morgan thanked the Chairman allowing for public and applicant to speak and present to the commission.
- ◆ Public Hearing was closed at 9:34 P.M.

3. Adjournment.

- ◆ Francis Kaplan, seconded by Charles Bardes moved a Motion to Adjourn. Motion carried unanimously.
- ◆ Meeting adjourned at 9:35 P.M.

James Krupienski
Recording Secretary