

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Minutes - Regular Meeting
Thursday, June 2, 2011, 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 7:03 P.M.
- ◆ **Regular Members Present:** Chester Morgan, Walter Mealy, Francis Kaplan, Charles Bardes, Victor Riscassi, Stanley Cohen and Daniel Sullivan.
- ◆ **Alternate Members present:** None
- ◆ **Staff Present:** Leonard Tundermann, Town Planner
- ◆ **Recording Secretary:** James Krupienski

2. Administrative Actions/ Requests

2.1 Amendment I Adoption of Agenda - Additional business to be considered under agenda item #6 "Other Business"

- ◆ **Chairman Morgan requested Item #5.1 become Item #3 and renumber the Agenda to reflect changes.**
- ◆ **Walter Mealy, seconded by Stanley Cohen moved a Motion to Adopt the Agenda as Amended. Motion carried unanimously.**

2.2 Communications received NOT related to Agenda items

- ◆ **Connecticut Town & City Newsletter, April 2011**

2.3 Acceptance of Minutes

- ◆ **Francis Kaplan, seconded by, Walter Mealy moved a motion to adopt the Minutes of the May 19, 2011 Regular Meeting. Motion carried unanimously. Commissioner Morgan abstained.**

3. New Business.

3.1 Application [PZ-2011-07] of CME Associates for a Site Plan of Development for an Extra Mart Gas Station/Convenience Store at 1302 Hartford Turnpike (Assessor's ID: Map #46, Block #70, Lot/Parcel 1)

- ◆ **Leonard Tundermann, Town Planner read the Legal Notice into the record.**
- ◆ **John Guskowski, Thomas Danieluk, Property Development Manager:**
 - **Proposing to renovate by removing existing small store, adding additional pumps and renovate prior Tim Horton's structure ;**
 - **Revised maps updated abutting owners was supplied to the Town Planner;**
- ◆ **Walter Mealy questioned use of existing drive-thru on site.**
- ◆ **Applicant indicated there was no intention to utilize the drive-thru window.**
- ◆ **Walter Mealy questioned limiting left turns out of the site onto Route 30 heading westerly.**
- ◆ **Applicant indicated that they have no intention of modifying existing curb-cuts**

currently in use on the site.

- ◆ Charles Bardes questioned if additional tanks were being installed on the site to support the additional pumps.
- ◆ Applicant indicated that the additional pumps would utilize the existing pumps.
- ◆ Leonard Tundermann, Town Planner indicated that the North Central District Health Department (NCDHD) has requested a detailed plan with specification sheets for equipment and a menu of all food & beverage items prepared and dispensed on site.
- ◆ Charles Bardes, seconded by Daniel Sullivan moved a Motion to Adopt the Application as presented. Motion carried unanimously.

4. Public Hearings

4.1 Application [PZ-2011-03] of Leonard Tundermann, Town Planner, to amend the Vernon Zoning Regulations to (1) add definitions for recreation, (2) add new section 3 30, Keeping of Poultry, (3) reference home based businesses of Major - Type 2 in lieu of home occupations as special permit uses within use regulations for residential zones, (4) add section 4 9 4 12 to allow accessory recreational use for employees of commercial uses, and (5) substitute the Zoning Enforcement Officer for the Building Official and add the PZC chairman as having authority to sign off on minor site plan modifications

- ◆ Leonard Tundermann, Town Planner read the Legal Notice into the record.
 - Withdrew Amendments to §2.91A & 2.91B & 4.9.2.6 from consideration by the commission as outlined in the May 2001 text revision proposals.
 - §3.30 – Keeping of Poultry
- ◆ Calvin Broderson, Rockville Vocational Agriculture Program was present to review suggested use requirements and possible changes.
- ◆ Francis Kaplan questioned reasoning for restricting Roosters.
- ◆ Leonard Tundermann, Town Planner indicated that keeping of Roosters could be considered a potential nuisance.
- ◆ Mr. Broderson suggested minimum parcel size for keeping of poultry. Suggested minimum of ½ acre lot. Could review possible limited quantities based on lot sizing.
- ◆ Leonard Tundermann, Town Planner indicated the application was referred to the Capital Region Council of Governments and the Windham Regional Council of Governments and supplied suggestions based on review.
 - Has received eight (8) letters in support of the application
 - Has received four (4) letters in opposition to the application.
- ◆ Discussion took place relative to enforceability of existing and proposed regulations and the suggested area for keeping.
 - Suggestion was made to specify family class for chickens (Galliforms).
- ◆ Mr. Broderson suggested not allowing ducks due to additional care requirements.
- ◆ Staff Input:
 - Abraham Ford, Zoning Enforcement Officer was present to discuss current enforcement issues and reasoning for proposed changes to add Keeping of Poultry regulations.
 - Charles Bardes questioned the ability of the Zoning Enforcement Officer would have the adequate time and fiscal support to handle enforcement upon passage.
 - Mr. Ford reviewed the Zoning enforcement process.
 - Richard Zulizk, Sanitarian, North Central District Health Department (NCDHD) – indicated that enforceability will be difficult in identifying young roosters.

Suggested allowing on properties greater than 2 acres in size due to waste management for the use. Reviewed specifics for health related nuisance enforcement by the North Central District Health Department (NCDHD).

- Leonard Tundermann, Town Planner listed correspondence received for the application (Attachment).
- Recess at 8:27 P.M.
- Reconvened at 8:37 P.M.
- ◆ **Public Testimony (8:37 P.M.):**
 - Malcolm Stevenson, 60 Prospect Street
 - Manure Types – can be composted similar to dogs and cats;
 - General coop 4' area, Run area 10' space;
 - Suggested self-sufficiency as a future living style;
 - Size parameters are sufficient for enforcement
 - Frank Boresevich, Thrall Road – Suggested approval of the proposed regulation change.
 - Dr. & Mrs. Norman Fisher, 6 North Park Street
 - §2.57 –
 - Not in favor of proposed amendment;
 - Concerned with possible health issues;
 - Amy & Mary Shane, 319 Merline Road – Supports supposed change.
 - Mark St. Germain, 25 Grier Road & Marilyn St. Germain, 9 Minterburn Court
 - Concerned with possible health issues.
 - Lisa Alvarez, 2 East Street:
 - Has had chickens, goats and horses on the property;
 - Care for the chickens to keep the runs and coop clean;
 - Have not seen small vermin or pack animals in the area.
 - Robert Hurd, 7 Rheel Street:
 - Suggested size constraints on allowed lot size;
 - Commission received a petition in opposition to the proposed regulations.
 - James Krupienski, 59 Deerfield Drive – suggested utilizing minimum sizing and setback distances based on quantities of chickens proposed for the site.
- ◆ Leonard Tundermann, Town Planner – reviewed reasoning for more stringent Home Based Business requirements. Proposed changes would properly reference previously adopted regulations for Type 2 Home Based Businesses.
- ◆ Leonard Tundermann, Town Planner - reviewed reasoning for changes to require the signatures of the Town Planner, Town Engineer, Zoning Enforcement Officer replacing the Building Official and the addition of the Chairman of the Planing and Zoning Commission for all Minor Modification to Site Plans.
- ◆ Public Hearing was closed at 9:33 P.M.
- ◆ Charles Bardes, seconded by Victor Riscassi moved a Motion to Divide the Question to vote on # 3 & #5 of the Proposed Regulation amendments:
 - Amendment # 2 should be amended based on discussion and testimony received during the Public Hearing.
- ◆ Motion carried unanimously.
- ◆ Charles Bardes, seconded by Walter Mealy moved to adopted #3 & #5 of the proposed regulations. Motion carried unanimously.

5. Old Business

5.1 Plan of Conservation and Development

- ◆ Set meeting date for (a) review of public comments and possible edits to draft POCD, and (b) review of draft implementation strategies
 - **Public Meeting is being setup for presentation to the public on June 9, 2011 @ 7:00 P.M. in the Senior Center.**
 - **Discussion took place regarding the order of the public meeting and the Implementation plan going forward.**
 - **Walter Mealy, seconded by Daniel Sullivan moved a Motion to schedule a special Meeting on June 23, 2011 at 3:00 P.M., Senior Center. Motion carried unanimously.**

6. Other Business

- 6.1 Additional business to be considered should be introduced under PZC meeting agenda item “#2.2 Amendment / Adoption of Agenda” at the beginning of the meeting.

7. Adjournment.

- ◆ **Francis Kaplan, seconded by Charles Bardes moved a motion to Adjourn. Motion carried unanimously.**
- ◆ **Meeting Adjourned at 9:45 P.M.**

James Krupienski
Recording Secretary

Attachment

Correspondence Received for Application PZ-2011-03

In Support

Keri Kolakowski, 17 Woodland St., Apt. D

Jason Arey, 244 Taylor St.

Patricia Ray, 49 Dailey Circle

Amy Shane, 319 Merline Rd.

Theresa Tracy, 244 West St.

Malcolm & Elizabeth Stevenson, 60 Prospect St.

Janis Wilcox, 43 Hunt Rd., Columbia (with supporting signatories)

Robert Levy, 5 Chestnut St. (with photographs)

In Opposition

Corinne & Norman Fisher, 6 N. Park St.

Robert & Marilyn St. Germain, 7 & 9 Minterburn Court

North Central District Health Department (email from Michael S. Caronna)

Eugene & Carol Orlowski, 15 Mountain St.

Neutral or Informational

Calvin Brodersen, Rockville Agriculture Education (email)