

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Minutes – Regular Meeting
Thursday, July 7, 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, Charles Bardes, Victor Riscassi, Stanley Cohen and Daniel Sullivan.
- ◆ **Alternate Members present:** William Roch. William Roch to sit for Francis Kaplan
- ◆ **Staff Present:** Shaun Gatley, Economic Development Coordinator
- ◆ **Town Counsel:** Harold Cummings, Town Attorney
- ◆ **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"

- ◆ **Walter Mealy, seconded by Daniel Sullivan moved a Motion to Adopt the Agenda. Motion carried unanimously.**

2.2 Communications received NOT related to Agenda items

- ◆ **PZC Action letter on Application PZ-2011-03.**
- ◆ **PZC Approval letter of CME Associates Inc.**
- ◆ **Tentative Determination of Intent to Renew a Discharge Permit for Ano-Coil Corporation from the Department of Environmental Protection.**
- ◆ **CTI (Connecticut Transportation Institute) Road Master Program Workshop – Effective Communications, Level I.**

2.3 Acceptance of Minutes

- ◆ **None**

3. Public Hearings

3.1 Application [PZ-2011-06] of Ticket Network Inc. for a Site Plan of Development to install a driveway and small parking lot at #60 South Frontage Road (Assessor's ID: Map #29, Block #134, Lot/Parcel #1).

- ◆ **Chester Morgan read the Legal Notice into the Record.**
- ◆ **Donald Vaccaro, Applicant; Eric Peterson, Gardner & Peterson Associates; Andrea Mazur;**
 - **Requesting to create a curb-cut and twenty-five foot driveway across from the existing Ron-a-Roll entrance;**
 - **Requires Department of Transportation approval to create the proposed driveway;**
 - **Thirty-four (34) spaces were being requested in the application;**
 - **Driveway and parking would be paved as required by DOT;**
 - **Traffic Authority has requested a gated entrance;**

- Stop-bar at the beginning of drive as required by DOT;
- No lighting proposed;
- Less than ½ acre of disturbed land after completion;
- No existing curb-cuts on the proposed development site;
- 2/3 of the parcel is designated Forest Land;
- No site plan approval on file for the proposed site;
- No formal landscaping or utilities;
- Proposing to reduce parking from thirty-four (34) to a maximum of twelve (12) spaces;
- ◆ Charles Bardes questioned if Low Impact Development (LID) design was suggested for the development on the site parking;
- ◆ Eric Peterson, Gardner & Peterson Associates – Parking has been designed as impervious with stormwater system for infiltration into an infiltration trench;
- ◆ Chester Morgan questioned if the applicant had reviewed comments by the Conservation Commission.
- ◆ Mr. Vaccaro indicated that they had not received the memorandum previously. Applicant indicated they would seek NDDB review for the site.
- ◆ Daniel Sullivan questioned the need for the proposed parking/driveway on the site based on the Fire Marshal comments.
- ◆ Mr. Vaccaro indicated the drive would allow for access to maintain newly planted evergreen trees and trail maintenance.
- ◆ Mr. Vaccaro indicated that they would meet Traffic Authority recommendations based on reduced parking.
- ◆ Staff Input (7:25 P.M.)
 - Harold Cummings, Town Attorney reviewed June 17, 2011 Legal Opinion.
 - No principle approved use on the property, would need to be incidental;
 - Reviewed Staff Memorandum of Leonard Tundermann, Town Planner dated June 30, 2011;
 - Reduced parking would address parking as an accessory use on the property.
- ◆ Fifteen minute recess at 7:30 P.M.
- ◆ Meeting reconvened at 7:45 P.M.
- ◆ Call for Intervenor to the Application – None
- ◆ No additional correspondence received by the Staff.
- ◆ Public Testimony (7:50 P.M.)
 - Jennifer Roggi, 2 Pineview Drive
 - No specific allowance for parking in the regulations;
 - No Special Permit for Aquifer review by the Inland Wetlands Commission (IWC).
 - Harold Cummings, Town Attorney indicated the §20.4 may not trigger the review requirement based on the reduction of the revised parking area.
 - David McQuade, 20 Whitney Ferguson Road
 - Questioned if the proper Legal entity was properly listed as the applicant be clarified.

- Harold Cummings, Town Attorney spoke to the consent process by an owner to an applicant for development on the site in question. Does not believe the identity of the applicant in germane.
- ◆ **Rebuttal & Summation:**
 - Requesting approval of the amended plan with reduced parking of a maximum of twelve spaces.
- ◆ Public Hearing was closed at 8:07 P.M.
- ◆ Ten (10) minute recess at 8:07 P.M.
- ◆ Meeting reconvened at 8:20 P.M.
- ◆ Walter Mealy, seconded by Daniel Sullivan moved a Motion to Approve PZ-2011-06 as amended with the following stipulations;
 - Parking reduced to a maximum of twelve (12) spaces and modify the site plan accordingly;
 - Comply with recommendation of the Conservation Commission memorandum;
 - Comply with the recommendations of the Traffic Authority memorandum including, but not limited to ;
 - Handicap parking;
 - Locked gate with controlled access;
 - Stop signs and stop bars to be installed;
 - No improvements other than those shown on the proposed site plan as amended;
 - Site to be used for passive recreation use only;
 - No organized use of the property by recreational vehicles, ATV's and the like;
 - Comply with State Traffic Commission Requirements and will comply with standard approval conditions.
- ◆ Chester Morgan, seconded by Stanley Cohen moved an amendment to the main motion that construction is not to begin until the State Traffic Commission has reviewed and approved the improvements. Motion carried unanimously.
- ◆ Vote on the main motion:
 - Charles Bardes – Yes
 - Walter Mealy – Yes
 - Victor Riscassi – Yes
 - Stanley Cohen – Yes
 - Daniel Sullivan – Yes
 - William Roch – Yes
 - Chester Morgan – Yes
- ◆ Motion carried unanimously

4. Old Business

4.1 Plan of Conservation and Development

- ◆ Memorandum has been submitted to the Administration regarding transmittal of the 2011 Town of Vernon Plan of Conservation and Development for review and comment by the Vernon Town Council.
- ◆ September 29, 2011 has been scheduled as a Special Meeting/Public Hearing for final adoption of the Plan.
- ◆ Requirements leading up to the Public Hearing Adoption. (Attachment)

5. New Business.

5.1 Request for two year extension to September 1, 2013, for Verconn Associates, LLC to construct 50% of foundations for Water's Edge at Vernon Gardens (PZ-2005-09)

- ◆ **Charles Bardes, seconded by Stanley Cohen moved a Motion to approve an extension for Verconn Associates, LLC to construct 50% of foundations for Water's Edge at Vernon Gardens PZ-2005-09 to September 1, 2013. Motion carried unanimously**

5.2 Receipt of Applications:

- ◆ **None**

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.

- ◆ **Chairman Morgan introduced Shaun Gatley, Economic Development Coordinator who spoke about his background.**

7. Adjournment.

- ◆ **William Roch, seconded by Stanley Cohen moved a motion to adjourn. Motion carried unanimously.**
- ◆ **Meeting adjourned at 8:34 P.M.**

James Krupinski
Recording Secretary

Attachment

**VERNON PLAN OF CONSERVATION AND DEVELOPMENT
REQUIREMENTS LEADING UP TO THE PUBLIC HEARING**

At least **65 days** prior to public hearing on adoption :

1. Planning and Zoning Commission shall submit a copy of the POCD to the Town Council.
 - a. The Town Council may hold one or more public hearings
 - b. The Town Council shall endorse or reject the entire plan or parts (*any part of the plan that is not endorsed in the report of the Town Council may only be adopted by a two-thirds vote of all the members of the Planning and Zoning Commission*)
 - c. The Town Council may submit comments and recommended changes.
2. Planning and Zoning Commission shall submit a copy to the regional planning agency (Capitol Regional Council of Governments - CRCOG).
 - a. CRCOG shall submit its comments at or before the public hearing

At least **35 days** prior to the public hearing on adoption:

1. Planning and Zoning Commission shall post the plan on the town's web site
2. Planning and Zoning Commission shall file a copy in the Town Clerk's office

In the **15 days** prior to the public hearing:

1. Planning and Zoning Commission shall cause to be published in a newspaper having a general circulation in the municipality, at least twice at intervals of not less than two days, the first not more than fifteen days, or less than ten days, and the last not less than two days prior to the date of each such hearing, notice of the time and place of any such public hearing. Such notice shall make reference to the filing of such draft plan in the office of the town clerk.