

TOWN OF VERNON
Planning & Zoning Commission (PZC)
DRAFT Minutes - Meeting Notice
Thursday, September 3, 2009, 7:30 PM
Council Chambers, Third Floor
Memorial Building, Vernon Town Hall
14 Park Place
Rockville/Vernon, CT

RECEIVED
VERNON TOWN CLERK
09 OCT 13 AM 9:17

1. Call to Order & Roll Call

- **Meeting called to order at 7:33 P.M.**
- **Regular Members Present:** Lester Finkle, Chester Morgan, Francis Kaplan, Watson Bellows, Sarah Iacobello and Walter Mealy.
- **Alternate Members Present:** Stanley H. Cohen and Charles R. Bardes. Stanley Cohen to sit for Keith Lauzon.
- **Staff Present:** Leonard Tundermann, Town Planner, Terry McCarthy, Town Engineer
- **Recording Secretary:** James Krupienski.

2. Administrative Actions/ Requests

2.1 Communications received NOT related to Agenda items

- **Lester Finkle read the appointment letter of Charles Bardes and Stanley Cohen into the record as alternate members.**
- **Commission was supplied updated membership listing.**

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

- **Lester Finkle requested to move Items #3.2 & #3.3 prior to #3.1.**
- **Walter Mealy, seconded by Chester Morgan moved a Motion to Adopt the Agenda as Amended. Motion carried unanimously.**

2.3 Acceptance of Minutes

- **None**

3. Public Hearings

3.2 Application [PZ-2009-16] of Connecticut Twisters for a Special Permit for Recreational/Fitness activities at #5 Gerber Boulevard (Assessor's ID: Map #04, Block #0040, Lot/Parcel # 008A1).

- **Leonard Tundermann, Town Planner read the Legal Notice into the Record.**
- **Applicants present: Melissa Granfield and Donna Carter.**
 - **Minimal traffic impact. Four teams for practices (10-20 kids) with primary drop-off and pick-up.**
- **Watson Bellows questioned if competitions would be held in the space. Applicant indicated that structure was too small to accommodate.**
- **Leonard Tundermann, Town Planner reviewed staff application review and Special Permit requirements for compliance with Section 17.3.**
 - **Sufficient parking at location.**

- **Read comments from James Kenny, Police Chief indicating no need for Traffic Authority review.**
- **Watson Bellow felt parking areas should be delineated.**
- **Sarah Iacobello left the table at 7:53 P.M.**
- **Sarah Iacobello returned to the table at 7:54 P.M.**
- **Watson Bellow questioned if dumpster locations were in compliance with prior Zoning approval.**
- **Leonard Tundermann, Town Planner indicated that the rear parking area was utilized for deliveries only and would refer dumpster location compliance to Abraham Ford, Zoning Enforcement Officer.**
- **Public Comment: None**
- **Melissa Granfield indicated parking would be utilized after normal business hours.**
- **Public Hearing was closed at 7:55 P.M.**
- **Watson Bellows, seconded by Francis Kaplan moved a motion to Approve the Special Permit. Motion carried unanimously.**

3.3 Application [PZ-2009-15] of Talcottville Associates, LLC for Modification of an approved Site Plan of Development at #561 Talcottville Road (Assessor's ID: Map #08, Block #0002, Lot/Parcel # 0016E).

- **Leonard Tundermann, Town Planner read the Legal Notice into the Record.**
- **Present for the Applicant were Mark Peterson, Gardner & Peterson Associates of Tolland and Thomas Manning, Russell & Dawson of East Hartford.**
- **Walter Mealy left the table at 8:03 P.M.**
- **Walter Mealy returned to the table at 8:04 P.M.**
- **Mark Peterson: Proposed addition would be 1,22 sq/ft**
 - **One handicap space proposed;**
 - **Dumpsters to be located to the North-East corner;**
 - **Proposing to close the South curb-cut;**
 - **Directional arrows shown to direct traffic in single direction on site.**
- **Thomas Manning: No additional landscaping proposed for the site.**
 - **Reviewed compliance with section 22 of the Zoning Regulations.**
 - **Additional lighting proposed at rear exits of new addition.**
- **Watson Bellows questioned enclosure for dumpster. Applicant indicated there would be striping only no enclosure.**
- **Charles Bardes questioned lighting for rear parking area. Applicant indicated that none was proposed to be added to the parking area.**
- **Leonard Tundermann, Town Planner indicated the applicant would require and Encroachment Permit from the Department of Transportation and review by the Vernon Traffic Authority for the curb-cut reduction.**
 - **Recommended full cut-off lights for rear addition and details be added to plan.**
 - **Adequate parking for the site.**
- **Watson Bellows suggested a memorandum to the Vernon Traffic Authority endorsing the reduction.**
- **Leonard Tundermann, Town Planner indicated the commission could be safe to act on the application.**

- **Commission consensus was to receive a Draft Motion to review at the September 17, 2009 meeting.**
- **Public Comment: None**
- **Public Comment closed at 8:19 P.M.**
- **Watson Bellows, seconded by Sarah Iacobello moved a Motion to Continue the Application to the September 17, 2009 meeting. Motion carried. Commission Morgan opposed.**

3.1 Application [PZ-2009-13] of the Vernon Planning and Zoning Commission for amendments to section 9 – Landscape Buffers, and section 14 – Site Plans, to incorporate language to protect mature trees on development sites and to specify additional requirements for submission of site plans for Commission approval.

- **Leonard Tundermann, Town Planner read the Legal Notice into the Record.**
- **Laurence Geissler and Tom Oulette, Conservation Commission presenting;**
 - **Read statement into the Record. (Appendix A & B of approved minutes)**
- **Stanley Cohen left the table at 8:36 P.M.**
- **Stanley Cohen returned to the table at 8:38 P.M.**
- **Tom Oulette read Legal Review by Town Attorney Harold Cummings suggesting inclusion of a landscape Buffer Conservation Easement. (Appendix C)**
- **Chester Morgan questioned if the proposed requirements of the Landscape Buffer are required. Applicant indicated they are only a guidelines**
- **Charles Bardes questioned if Section 9 would allow for the planting of invasive species outside of the proposed Buffer Zone.**
- **Walter Mealy feels easement could cause issues during sensitive applications.**
- **Leonard Tundermann, Town Planner indicated that the application was referred to the CRCOG, WINCOG for comment and review. Comments were read into the record.**
 - **Read letter of Norman Nicotera, 942 Hartford Turnpike into the Record. (Appendix D)**
 - **Connecticut General Statutes §8-3a requires consistency of regulation changes – proposed changes are not inconsistent with the Plan of Conservation and Development.**
- **Watson Bellows questioned if the proposed regulations should be more definitive.**
- **Leonard Tundermann, Town Planner suggested use of relaxed language to allow the commission to have alternate options during review.**
- **Public Comment – 8:54 P.M.**
- **Jan Ledeu, 942 Hartford Turnpike reviewed section 14.1.2.2.19. Stated possibility of owner using logger to remove mature trees prior to application. Suggested less restrictive language for use during the review process.**
- **Walter Mealy left the table at 8:57 P.M.**
- **Walter Mealy returned to the table at 8:59 P.M.**
- **Public Comment closed at 9:02 P.M.**
- **Laurence Geissler:**
 - **Logging would not be limited on a property.**

- **Stanley Cohen questioned if the buffer would be located behind property or adjacent to the roadways. Applicant indicated the buffer are located between properties and zones.**
- **Watson Bellows questioned the removal of trees that may endanger surrounding structures.**
- **Commission requested Draft Motion for review prior to approval.**
- **Public Hearing closed at 9:16 P.M.**
- **Francis Kaplan, seconded by Watson Bellows moved a Motion to Continue the Application to the September 17, 2009. Motion carried unanimously.**
- **Recess for five minutes at 9:20 P.M.**
- **Meeting reconvened at 9:31 P.M.**

4. Old Business

4.1 Plan of Conservation and Development

- **Information was supplied relative to the Planimetrics Contract that was reviewed by Assistant Town Attorney Susan Boyan.**

4.2 Other zoning regulation changes for consideration:

- a. Low Impact Development (LID)
- b. Garden zone;
- c. Requiring sewers for development within aquifer protection zones;
 - **Continue on the Agenda.**

5. New Business.

5.1 Informal review of proposal by Ticket Network Forest, LLC to establish a Forest Summer Stage Concert Series on property at 60 South Frontage Road

- **Attorney Dorian Famiglietti, Kahan, Kerensky and Capossela, Eric Peterson, Gardner & Peterson Associates, Andrea Mazur, representing the owner.**
 - **Target property is 37.55 acres on South Frontage Road;**
 - **Inland Wetlands has granted a Wetlands Redesignation Permit. Permit pending with Inland Wetlands Commission based on proposed plan being shown.**
 - **Proposal for Summer Concert Series;**
 - **Operation from May to October – proposed 20 concerts per year on weekends and holidays;**
 - **Requires State Traffic Commission approval as a Major Traffic Generator;**
 - **Propose lawn seating only;**
 - **Proposed expanding existing walking trails on site.**
- **Watson Bellows left the table at 9:41 P.M.**
- **Watson Bellows returned to the table at 9:42 P.M**
- **Eric Peterson, Gardner and Peterson reviewed preliminary Site Plan**
 - **Temporary Stage and Lawn Seating;**
 - **Independent vendor Area for food and products approved by Department of Public Health;**
 - **Proposed gravel parking area;**
 - **Bio-retention basins proposed in parking islands for storm water runoff.**
- **Attorney Dorian Famiglietti:**

- **Property located within an Aquifer Area;**
- **Spoken to Health Department and would approve without permanent structure on the site;**
- **Work proposed in protected wetlands area would be for emergency access only.**
- **Walter Mealy questioned scheduled times, length of concerts, types of music and proposed sound system.**
- **Attorney Dorian Famiglietti indicated concerts would begin around 7:00 P.M. and end by 10:00 P.M., sound system not designed currently, music type would be by regional bands with various music types.**
 - **Has been reviewed by Economic Development Commission.**
- **Watson Bellows questioned if alcohol would be sold and types of lighting displays by Bands.**
- **Attorney Dorian Famiglietti:**
 - **Reviewing the possibility of selling wine;**
 - **Lighting plans being reviewed.**
- **Watson Bellows questioned seating lighting on parking lot paths and**
- **Walter Mealy let the meeting at 10:08 P.M.**
- **Sarah Iacobello questioned considerations to adjacent residential properties relative to concert noise would.**
- **Attorney Dorian Famiglietti indicated that sound system and impact would be outlined in the Sound Report and meet Department of Environmental Protection noise regulations.**

5.2 Draft update of *Achieving the Balance: A Plan of Conservation and Development for the Capitol Region*

- **Watson Bellows indicated the Capital Region Council of Government Planners would be meeting prior to the next regular meeting.**
 - **Requested commissioners to supply email comments to himself of Leonard Tundermann, Town Planner**

5.3 Receipt of Applications:

5.3.1 Application [PZ-2009-17] of Brian M. Carty for amendment of the Vernon Zoning Regulations to add tattoo studio as a special permit use in the Historic District – Downtown Business & Residential zone (DBR) under section 4.23.5.16.

- **Needs a Public Hearing, suggested October 15, 2009.**
- **Francis Kaplan, seconded by Chester Morgan moved a Motion to Accept and Schedule a Public Meeting for October 15, 2009. Motion carried unanimously.**

•

5.3.2 Application [PZ-2009-19] of Ellington Prospect LLC for a Site Plan of Development to construct a driveway and parking off of Prospect Street at One Ellington Avenue. (Assessor's ID: Map #23, Block #98, Lot/Parcel #14)

- **Attorney Leonard Jacobs, representing applicant.**
 - **Proposed renovations to Apartment House and proposed parking area;**
 - **Has approval for seven (7) single units.**

- **Agreement in place with the Chrysalis Association for Veterans Assistance.**
- **Each bedroom unit requires two (2) parking spaces.**
- **Fire Marshal requires emergency access.**
- **Police Chief Kenny sees no issue with proposed driveway location.**
- **Sarah Iacobello indicated that review by the Local Historic Properties Commission (LHPC) was completed on the large structure not the apartment building. Stop work order was issued previously.**
- **Leonard Tundermann, Town Planner indicated that the Applicant had met with Staff and determined property has a legitimate non-conforming use.**
- **Chester Morgan, seconded by Watson Bellows moved a Motion to Accept the Application and Approve the Application as presented. Motion carried. Sarah Iacobello abstained.**

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.

- **Chester Morgan, seconded by Francis Kaplan moved a Motion to Adjourn. Motion carried unanimously.**
- **Meeting adjourned at 10:39 P.M.**

James Krupienski
Recording Secretary