

MINUTES
TOWN OF VERNON
Planning & Zoning Commission (PZC)
Meeting Notice
Thursday, April 17, 2008, 7:30 PM
Meeting Room, Second Floor
Senior Citizens Center
26 Park Place
Rockville/Vernon, CT

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1. Call to Order & Roll Call
 - **Meeting called to order at 7:35 P.M.**
 - **Regular Members Present:** Lester Finkle, Ralph Zahner, Richard Guttman, Watson Bellows, Chester Morgan.
 - **Alternate Members Present:** Lance Chernack, Francis Kaplan and Walter Mealey. Francis Kaplan to sit for Pat Settembrino. Walter Mealey to sit for Sarah Iacobello
 - **Staff Present:** Leonard Tundermann, Town Planner, David Gooch, Civil Engineer.
 - **Recording Secretary:** James Krupienski
2. Administrative Actions/ Requests
 - 2.1 Communications received NOT related to Agenda items
 - **Letter from Harold Cummings, Town Attorney dated April 4, 2008 regarding the Mediation Process.**
 - 2.2 Amendment / Adoption of Agenda - Additional business to be considered under agenda item #6 "Other Business"
 - **Move Item 4.1 prior to Item 3.1**
 - **Move Item 3.3 prior to Item 3.1**
 - **Chester Morgan, seconded by Francis Kaplan made a motion to adopt the agenda as amended. Motion carried unanimously.**
 - 2.3 Acceptance of Minutes
 - **Watson Bellows, seconded by Ralph Zahner made a motion to approve the minutes of March 20, 2008. Motion carried unanimously.**
 - 2.4 Call for filing of Intervener(s) petition(s) and determination of status
 - **None**
 - 4.1 Application (**PZ-2008-05**) for Lee & Lamont Realty for a Zone Change from Neighborhood 10 (NR-10) to Planned Neighborhood Development (PND) at #25 Snipsic Street/Pleasant Street (Assessor's ID: Map #41, Block #115, Lot/Parcel #00007 & 000028). Mandatory action deadline 6/7/2008.
 - **Discussion**
 - **Chester Morgan indicated he was in favor of the application.**
 - **Watson Bellows had issue with safety at the property – not in favor of the application.**

- Sarah Iacobello entered the meeting at 7:41 P.M. Walter Mealey returned to alternate member.
- Ralph Zahner had issue with the zone change
- Richard Guttman felt the terrain might be an issue – not in favor of the application.
- Sarah Iacobello felt the zone change should not be approved.
- Francis Kaplan felt there was no issue with the approval of the zone change.
- Lester Finkle felt the zone change does not have a good reason.
- Chester Morgan – Property is currently NR-10 and surrounding properties are Planned Neighborhood Development (PND) and would allow for extension of existing area zoning to the parcel.
- Motion to Approve the Zone Change
 - In favor of: Chester Morgan and Francis Kaplan.
 - Against: Sarah Iacobello, Watson Bellows, Ralph Zahner, Lester Finkle & Richard Guttman.
- Motion to Approve failed
- Watson Bellows, seconded by Ralph Zahner made a motion to Deny the application.
 - Watson Bellows – Stand by previous comments;
 - Ralph Zahner – Stand by pervious comments;
 - Richard Guttman – not a compelling enough reason to change zone;
 - Ralph Zahner – no significant development in the area to support changing the zone;
- Motion carried unanimously.

3. Public Hearings

3.3 Continued Public Hearing for Application of (PZ-2008-09) for Ronald Petrucelli for a Site Plan of Development/Special Permit to construct a two family dwelling in a Planned Residential Development zone and Aquifer Protection Zone #6 Franklin Street (Assessor's ID: Map # 22, Block #29, Lot/Parcel #40). Public hearing closure deadline 5/8/2008.

- Mark Peterson, Gardner & Peterson Associates - representing. Also present Ronald Petrucelli, Owner.
- Site Plan review, Special Permit – Aquifer Protection Zone
- ZBA has approved reduced front and side yard setbacks.
- DRC has reviewed with positive comments.
- Maximum site coverage allows for 60% - 34% would be covered.
- Watson Bellows questioned Drainage and driveway curb cuts. Applicant reviewed distances and locations relative to existing conditions.
- Chester Morgan questioned the applicant regarding DRC comments. Applicant indicated that they had no issues with the stipulations.
- Staff Comments
 - Leonard Tundermann, Town Planner read into the record:
 - Memo from the Design Review Commission regarding stipulations;

- Memo from the Town Civil Engineer, David Gooch;
 - Qualifying lot of record prior to 1965;
 - Needs Special Permit for Aquifer Protection Zone;
 - Sidewalks needs for development;
 - Parking: 3 spaces required/5 provided;
 - Lighting: No exterior lighting some needed in parking area.
 - David Gooch, Civil Engineer - Requires that all drainage reaches detention area without runoff to adjacent sites.
 - Lester Finkle – suggested security lighting for the parking area. Drainage – should be designed to drain only to the detention basin.
 - Mark Gardner suggested the possibility of moving the detention basin to the rear of the property.
 - Public Comment – None
 - Rebuttal & Summation
 - Mark Gardner suggested language: relocate additional 10' to the North or could narrow and move to the rear line for the detention area.
 - Ralph Zahner – proposed repairing adjacent sidewalks to property. Staff indicated that offsite improvements can cause legal issues.
 - Leonard Tundermann, Town Planner indicated that the sidewalk fund had been disbursed several years ago.
 - Public Hearing – closed at 8:20 P.M.
 - Discussion:
 - Watson Bellows, seconded by Richard Guttman made a Motion to Approve the Waiver of Sidewalk requirement. Motion carried unanimously.
 - Watson Bellows, seconded by Francis Kaplan made a Motion to Approve PZ-2008-09 with stipulations:
 - Full cut-off safety lighting be added to the parking area;
 - Recommendations of the Design Review Commission;
 - Comments of the Engineering Staff;
 - Detention infiltration area between parking and detention basin is increased by narrowing of the detention basin.
 - Motion carried unanimously.
- 3.1 Public Hearing for Application (PZ-2008-06) for Karl Isch & Bruce Bemer for a Zone Change from Residential 10 (R-10) to Commercial (C) at #48 & #50 Windsor Ave. (Assessor's ID: Map #22, Block #30, Lot/Parcel #42 & Map ID: #22, Block #30, Lot/Parcel #43). Public hearing closure deadline 5/22/2008.
- Leonard Tundermann, Town Planner read the Legal Notice into the Record.
 - Ralph Zahner indicated that he would recuse himself from the application.
 - Walter Mealy to sit for Ralph Zahner for the application.
 - Karl Isch, Applicant, H&K of Willimantic LLC, 84 Hopyard Road, Stafford Springs, CT.
 - Requesting to change the Zoning to encompass the entire lot as Commercial. Currently split between Residential and Commercial.
 - Staff Comments:

- **Leonard Tundermann, Town Planner:**
 - **Read letter from Janet McKone, 54 Windsor Avenue dated April 7, 2008 into the record.**
 - **Discussion was held regarding the exact location of target property and surrounding residential properties.**
 - **Public Input:**
 - **Ellen Deville – would like to be sure that development would require site plan review for any changes.**
 - **Janet McKone – questioned how zoning is determined.**
 - **Walter Mealy let the meeting at 8:50 P.M.**
 - **Attorney Bruce Fader, representing Raymond & Rosanne Bill and Blanche Bill of 4 Burke Road;**
 - **Indicated rear of lot is vegetative;**
 - **Presented photos of the surrounding lots;**
 - **Supplied property card information for 48 & 50 Windsor Avenue;**
 - **Concerned with expansion of the Zone and development adjacent to residential areas;**
 - **POCD should be reviewed (page 128);**
 - **Located within an Aquifer Zone – concerned about fertilizers and impact to ground water;**
 - **POCD page 13 for reference to Aquifer Protection areas;**
 - **Exhibit – Reason for denial of application for Zone Change.**
 - **Public Input – Closed at 9:15 P.M.**
 - **Additional Staff Input**
 - **Need to balance POCD with environmental concerns.**
 - **Recess for 5 minutes at 9:17 P.M.**
 - **Meeting reconvened at 9:25 P.M.**
 - **Rebuttal & Summation**
 - **Residential zone does not allow for outdoor displays. Change of the entire site would allow the proposed business to utilize the full property.**
 - **Public Hearing closed at 9:26 P.M.**
 - **Discussion took place.**
 - **Watson Bellows, seconded by Chester Morgan made a Motion to Continue the application to May 1, 2008. Motion carried unanimously.**
- 3.2 Continued Public Hearing for Application (PZ-2008-01) for Ben Carlson for a Special Permit for Office Space and Store of Equipment at #670 Dart Hill Road (Assessor's ID: Map # 4, Block #0004, Lot/Parcel #0003A). Public hearing closure deadline 5/8/2008.
- **Ralph Zahner returned as sitting member.**
 - **Attorney Walter Twockman, Rachel Dearborne, Landmark Associates & John Zahner, PE.**
 - **Attorney Twockman:**
 - **Proposed wash pad has been eliminated as shown on new site plan supplied to the commission.**
 - **Reviewed Business Plan and hours of operation;**
 - **John Zahner, PE – reviewed the Stormwater runoff plan for the site.**

- Watson Bellows – questioned the maintenance of the basin filter insert.
- John Zahner indicated that filter basin should be emptied of sediment 3 times per year and the catalytic cartridge replaced once per year.
- Chester Morgan questioned the parking requirements at the site.
- Rachel Dearborne – reviewed improvements to the site including a 6' fence and additional planting on the site for screening to adjacent properties.
- Letter for Rita Langan of DEP regarding the removal of the wash pad on site (read into the record).
- Attorney Twockman reviewed photo that were presently shown at the April 3, 2008 meeting.
- Watson Bellows reviewed items #10 & #11 of the business plan.
- Leonard Tundermann, Town Planner – Read letter from the Conservation Commission dated April 17, 2008 into the record.
- Attorney Twockman indicated that no lawn chemicals would be stored on the site.
- Chester Morgan questioned the concerns of the Conservation Commission.
- Leonard Tundermann, Town Planner indicated that Marina Rodriguez presented the proposed plan to the Commission for their review.
- Chester Morgan, seconded by Watson Bellows made a Motion to extend curfew for 30 minutes to 11:00 P.M. Motion carried unanimously.
- 5 minute recess at 10:20 P.M.
- Meeting reconvened at 10:25 P.M.
- Public Input:
 - David Perry, 26 Emma Lane – concerned with people dumping materials at the site. Reviewed photos in Exhibits #3 & #5.
 - Michael Lowel, 673 Dart Hill Road – concerned with groundwater issues and the effect on the neighborhood.
 - Douglas Flamino, CD Builders Inc, Ellington, CT – Uses Timber Ridge for dumpsters and landscaping.
 - Sue Perry, 26 Emma Lane – Read letter into the record (submitted as Exhibit).
 - Jeff Gerber, Homestead Fuels – Feels the applicant is doing their best to improve the site and please the neighborhood.
- Public Testimony closed at 10:42 P.M.
- Leonard Tundermann, Town Planner – Spoke with Rita Langan, DEP Water: Indicated that dumpsters returned with debris & offloaded at the site would make the property a Transfer Station & would be in violation without appropriate DEP permit, left on a truck would not cause an issue.
- Discussion was held regarding the proposed swale detention area with Staff and the applicant.
- Watson Bellows, seconded by Ralph Zahner made a Motion to Continue to the May 1, 2008 meeting.
- Motion carried with Sarah Iacobello, Watson Bellows, Ralph Zahner, Lester Finkle, Richard Guttman & Francis Kaplan voting: Yes. Chester Morgan voting: No.

4. Old Business & Action

4.2 Plan of Conservation and Development (POCD): Discussion of issues and a process for formulating a new plan.

- **Moved to next meeting for discussion.**

4.3 Zoning regulation changes for consideration.

- a. Home based businesses
- b. Portable signs
- c. Dumpster and portable storage containers

- **Moved to next meeting for discussion.**

5. New Business.

5.1 Recruitment of three commissioners to serve on a committee with members of the Water Pollution Control Authority to formulate a plan for sewers/sewer avoidance.

- **DEP Wastewater Engineer would be present.**
- **Watson Bellows questioned what the time requirements, process involved and responsibilities would be.**
- **Leonard Tundermann, Town Planner indicated that he would be present at the meeting and would report back to the commission.**
- **Discussion item for the next meeting.**

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.

- **Sarah Iacobello, seconded by Francis Kaplan made a Motion to Adjourn. Motion carried unanimously.**
- **Meeting adjourned at 10:59 P.M.**



James Krupinski
Recording Secretary