

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Meeting Notice
Thursday, September 16, 2021 7:30 PM
Town Hall
14 Park Place, 3rd Floor
Council Chambers*
Vernon, CT
AGENDA

1. **Call to Order & Roll Call by Roland Klee, Chairman**
2. **Administrative Actions/Requests**
 - 2.1 Amendment/Adoption of Agenda - Additional business to be considered under agenda item #7 "Other Business" requires Commission vote
 - 2.3 Approval of the Minutes from the **September 2, 2021.**
3. **New Application(s) for receipt, if any:**
 - 3.1 **PZ-2021-11 Cannabis Establishments.** A text amendment to the Town of Vernon Zoning Regulations, various sections, to define, address, and permit certain cannabis establishments in select zoning districts.
 - 3.2 **PZ-2021-12 Overnight Parking in the PDZ District.** A text amendment to the Town of Vernon Zoning Regulations to clarify the intent of Section 4.25.3, related to overnight parking in the PDZ district.
4. **Public Hearing(s) and Action on Applications**
 - 4.1 **PZ-2021-09** - An Application of Alishkumar Garala, Vernon Bottle Return, for a Special Permit to operate a Redemption Center for used beverages pursuant to Section 4.10.4.8 of the Zoning Regulations, at 77 Industrial Park Rd (Tax Map 28-0133-0005H). The Property is zoned Industrial (I). This PZC application is available for inspection by the public in the office of the Planning Department, 55 West Main Street, Vernon, CT.
5. **8-24 Referrals, If any**
6. **Other Business/Discussion**
7. **Adjournment**

Roland Klee, Chairman
Planning & Zoning Commission

*Note: This meeting is scheduled to be an in-person, public meeting; no virtual or hybrid participation option is available.

DRAFT MINUTES

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Thursday, September 2, 2021 7:30 PM
Council Chambers

DRAFT MINUTES

1. **Call to Order & Roll Call by Roland Klee, Chairman at 7:30 PM**

- Regular members present: Roland Klee, Robin Lockwood, Joseph Miller, Mike Mitchell (arrived at 8:00 PM), and Jesse Schoolnik
- Alternate Member: Carl Bard sitting for Susan Reudgen and Mike Baum sitting for Iris Mullan
- Absent Members: - Susan Reudgen and Iris Mullan
- Staff present: George McGregor, Town Planner and Shaun Gately, EDC
- Recording secretary: Jill Rocco

2. **Administrative Actions/Requests**

- 2.1 Amendment/Adoption of Agenda - Additional business to be considered under agenda item #7 "Other Business" requires Commission vote

Robin Lockwood **MOVED** to **ADOPT** the agenda as is. Jesse Schoolnik seconded and the motion carried unanimously.

- 2.3 Approval of the Minutes from the **August 19, 2021**.

Robin Lockwood **MOVED** to **APPROVE** the minutes from August 19, 2021. Jesse Schoolnik seconded and the motion carried unanimously.

3. **New Application(s) for receipt, if any:**

3.1 PZ 2021-10, An application of Karamelai Shafique for a Special Permit to allow a Home Business of Major-Type 2, pursuant to Section 4.3.4.8 of the Zoning Regulations, for a tax and accounting office at 330 Vernon Ave. (Tax map 26-065B-00029), in the R-22 zoning district.

Robin Lockwood **MOVED** to **RECEIVE** application PZ 2021-10 an Application of Karamelai Shafique for Special Permit at the October 7, 2021 meeting. Joseph Miller seconded and the motion carried unanimously and place it on the October 7, 2021 agenda for public hearing.

4. **Public Hearing(s) and Action on Applications**

4.1 PZ 2021-08 is an application of A. Vets Real Estate, LLC requesting a modification to an approved site plan and a special permit pursuant to section 4.10.4.11.6 to permit lot coverage in excess of 40% for a 1.19-acre parcel located at 965 Hartford Tpke (Assessor ID 26, Block 72, Parcel 0031H) and a .43-acre portion of a parcel located at 933 Hartford Tpke (Assessor ID 26, Block 72, Parcel 0031J).

- Town Planner George McGregor, read the public notice into record.
- Legal notice was published in the Journal Inquirer on August 21, 2021 & August 28, 2021.
- Mark Peterson of Gardner & Peterson Associates, LLC 178 Hartford Tpke. Tolland, representing the applicant Anna Ciotto (also present) spoke in regards to the application.
- Anna Ciotto, 965 Hartford Tpke., Vernon, spoke to the commission in regards to questions and concerns.
- Chairman Roland Klee opened the hearing for public comment.
- No one spoke in favor of.
- No one spoke in opposition.
- Chairman Roland Klee asked the commission if there were any further questions or comments.
- Shaun Gately, EDC, clarified some concerns on waste transfers.
- Town Planner George McGregor, clarified some concerns to the commission.
- Town Planner George McGregor, provided Public comments from September 1, 2021 to the commission.
- Mark Peterson of Gardner & Peterson Associates, LLC, spoke in regards to the application.
- Discussion ensued.
- Commissioner Carl Bard commented.
- Mark Peterson of Gardner & Peterson Associates, LLC, responded.
- Chairman Roland Klee closed the Public Hearing at 7:57 PM.
- Commissioner Joseph Miller **MOVED** to close the Public Hearing. Jesse Schoolnik seconded and the motion carried unanimously.

Robin Lockwood **MOVED**, the Planning and Zoning Commission **Approve** PZC 2021-08, a modification to a Site Plan for 965 and a portion of 933 Hartford Tpke., and a special permit for lot coverage in excess of 40%, upon a finding that the application conforms to the Town of Vernon Zoning Regulations, is consistent with the site plan requirements of Section 14, improves storm run-off, and shall be developed in substantial conformance with the plan set dated July 28, 2021, prepared by Gardner & Peterson Associates, LLC, and includes the following conditions:

1. The two properties (965 and 933 Hartford Turnpike) shall be combined prior to the issuance of a building permit.
2. The project shall be developed consistent with the DRC transmittal letter dated September 2, 2021.

Jesse Schoolnik seconded and the motion carried unanimously.

5. **8-24 Referrals, If any**

None

6. **Other Business/Discussion**

6.1 Municipal Zoning Regulations for Cannabis Establishments

Town Planner George McGregor presented changes in regards to commission comments from the August 19, 2021 meeting.

Discussion ensued.

Town Planner George McGregor suggested an application for Public Hearing.

7. **Adjournment**

Robin Lockwood **MOVED** to **ADJOURN** at 8:55 PM. Jesse Schoolnik seconded and the motion carried unanimously.

Jill Rocco
Recording Secretary

APPLICATION

For Receipt



TOWN OF VERNON PLANNING & ZONING COMMISSION (PZC)
APPLICATION

(Revised March 2021)

The PZC may require additional information to be provided by the applicant in the course of reviewing the application and during the monitoring of the project. Provide all the information requested.

APPLICANT (S)

NAME: Town of Vernon Planning & Zoning Commission
 COMPANY: _____
 ADDRESS: 14 Park Place, Vernon CT 06066
 TELEPHONE: 8608703640 E-MAIL: gmcgregor@vernon-ct.gov

PROPERTY OWNER (S)

NAME: _____
 ADDRESS: _____
 TELEPHONE: _____ EMAIL: _____

If the applicant is not the property owner, include a letter from the property owner authorizing the applicant to seek approval by the PZC, if no signature accompanies the application. (ZR Section 2.3)

PROPERTY

ADDRESS: _____

ASSESSOR'S ID CODE: MAP # _____ BLOCK # _____ LOT/PARCEL # _____

LAND RECORD REFERENCE TO DEED DESCRIPTION: VOLUME: _____ PAGE _____

DOES THIS SITE CONTAIN A WATERCOURSE AND/OR WETLANDS? (SEE THE INLAND WETLANDS MAP AND REGULATIONS)

___ NO ___ YES

___ NO REGULATED ACTIVITY WILL BE DONE

___ REGULATED ACTIVITY WILL BE DONE

___ IWC APPLICATION HAS BEEN SUBMITTED

ZONING DISTRICT _____

IS THIS PROPERTY LOCATED WITHIN FIVE HUNDRED (500) FEET OF A MUNICIPAL BOUNDARY?

___ NO

___ YES: _____

CHECK IF HISTORIC STATUS APPLIES:

___ LOCATED IN HISTORIC DISTRICT: _____

___ INDIVIDUAL HISTORIC PROPERTY

PROJECT SUMMARY

Describe the project briefly in regard to the purpose of the project and the activities that will occur. Attach to this application a complete and detailed description with maps and documentation as required by the **"Town of Vernon Zoning Regulations"** and **"Town of Vernon Subdivision Regulations"**.

PURPOSE: Zoning Text Amendment to Allow Certain Cannabis Establishments

GENERAL ACTIVITIES: Amendment introduces definition, permissions, and conditions for Retail Cannabis and other cannabis establishments.

APPROVAL REQUESTED

____ SUBDIVISION OR RESUBDIVISION

- ☐ SUBDIVISION (SUB. SEC. 4, 5, 6)
☐ RESUBDIVISION (SUB. SEC. 4, 5, 6)
☐ MINOR MODIFICATION OF SUBDIVISION OR RESUBDIVISION (SUB. SEC. 4.6)
☐ AMENDMENT OF SUBDIVISION REGULATIONS (SUB. SEC. II)

SEE SUBDIVISION REGULATIONS SEC. 4 FOR APPLICATION FEE SCHEDULES.

____ **SOIL EROSION AND SEDIMENT CONTROL PLAN (ESCP)** (ZR SEC. 2.117; 18) (SUB. 6.14)

____ SITE PLAN OF DEVELOPMENT (POD) (ZR SEC. 14)

- ☐ POD APPROVAL (ZR SEC. 14.1.1.1; 14.1.2)
☐ MODIFICATION OF AN APPROVED POD (ZR SEC. 14.1.1.1)
☐ MINOR MODIFICATION OF A SITE POD (ZR SEC. 14.1.1.2)

___ SPECIAL PERMIT(S) (ZR SECTION 17.3) SECTION: _____

___ OTHER SPECIAL PERMIT(S). CITE ZR SECTION AND DESCRIBE ACTIVITY:

 X **ZONING:**

- x SITE SPECIFIC CHANGE OF ZONING DISTRICT AND MAP (ZR SEC. 1.2; 1.3; 4)
 AMENDMENT OF ZONING REGULATIONS (SEC. 1.2; 1.3; 4)

CERTIFICATION AND SIGNATURE

The applicant, undersigned, has reviewed the "Town of Vernon Planning and Zoning Regulations" and completed the application with complete and accurate information:

Property Owner, Applicant, or Applicant's Agent:

APPLICANT OR AGENT SIGNATURE

George K. McGregor for the PZC
PRINTED NAME

09/02/21
DATE

OWNER'S SIGNATURE, IF DIFFERENT

PRINTED NAME _____

DATE _____

Zoning Regulations for Cannabis Establishments

DRAFT Technical Framework For Application Submission

9-16-21

1. Section 2-Definitions

- Insert new 2.16A-**Cannabis**: marijuana, as defined in Section 21a-240 of the CGS
- Insert new 2.16B-**Cannabis Establishment**: A cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, dispensary, producer and delivery service. For the purpose of this definition, Cannabis establishments shall be regulated by zoning district in a manner consistent with similar uses, except for Cannabis Retailers, which has been identified in specific districts and in Section 17.
- Insert new 2.16C-**Cannabis Cultivator**: an establishment, not less than 15,000 s.f., which engages in the cultivation, growing, and propagation of the cannabis plant.
- Insert new 2.16D- **Cannabis Micro-cultivator**: A cultivator, limited in size between 2,000 and 10,000 square feet.
- Insert 2.16E-**Cannabis Manufacturer**: An establishment whose license permits them to own and operate a place of business that acquires cannabis and extracts cannabis for a variety of cannabis products, including food and beverages.
- Insert 2.16F-**Cannabis Product Packager**: an establishment licensed to package and label Cannabis products.
- Insert new 2.16G-**Cannabis Retailer**: an establishment licensed to sell cannabis to consumers. For the purposes of this definition a hybrid retailer (one which sells cannabis products to consumers and medical marijuana products) shall be considered a cannabis retailer.

2. Zone District Additions

- 4.9.4.10 Commercial- delete "deleted" and insert "Cannabis retailer"
- 4.17.3.18 HD-RC-delete "deleted and inset "Cannabis retail"
- 4.21.5.21 PCZ-add new, "Cannabis retail"
- 4.26.5.26 HD-DBR-add new, "Cannabis retailer"

3. Section 17-Special Regulations

- 17.1 amend first sentence to read: Alcoholic liquors and Cannabis retailers: in those districts which permit sellers and/or servers of alcohol and retail Cannabis establishments, the standards to be applied are as follows and are in addition to the requirements of Section 17.3. (current ordinance has 17.2 which I think is in error)
- 17.1.2.1 delete. Then renumber .2 and .3 to .1 and .2. It is unnecessary to state a special permit is required. Each use district states this.
- 17.1.4 delete. This requirement to have the Zoning Enforcement Officer verify violations is an administrative function, outside of the Zoning Ordinance.

- New 17.1.4-The following separating distances shall be applied to all establishments seeking to permit the retail sale of cannabis (cannabis retailer):

Cannabis retailer to public or parochial school –500 ft.

- New 17.1.5-The separating distance shall be measured from the main public access door of each establishment
- New 17.1.6-Hours of operation shall be limited to 8 a.m. to 10 p.m. Monday to Saturday. Sunday 10 a.m. to 6 p.m.
- New 17.1.7-An operations plan, including but not limited to a description of all on-site activities, a floor plan, a security plan, and a traffic and access plan shall be submitted with each special permit application.
- New 17.1.8-Cannabis shall not be consumed, ingested or smoked on the premises.
- New 17.1.9-Retail Cannabis sales shall not be considered an accessory use; It shall only be permitted as a primary use.

A parcel of land, which has been planned for the temporary placement of two (2) or more seasonal or recreational vehicles.

2.16A-Cannabis:

Marijuana, as defined in Section 21a-240 of the Connecticut General Statutes.

2.16B-Cannabis Establishment:

A cultivator, micro-cultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager, dispensary, producer and delivery service. For the purpose of this definition, Cannabis establishments shall be regulated by zoning district in a manner consistent with similar uses, except for Cannabis Retailers, which has been identified in specific districts and in Section 17.

2.16C-Cannabis Cultivator:

An establishment, not less than 15,000 s.f., which engages in the cultivation, growing, and propagation of the cannabis plant.

2.16D-Cannabis Micro-Cultivator:

A cultivator, limited in size between 2,000 and 10,000 square feet.

2.16E-Cannabis Manufacturer:

An establishment whose license permits them to own and operate a place of business that acquires cannabis and extracts cannabis for a variety of cannabis products, including food and beverages.

2.16F-Cannabis Product Packager:

An establishment licensed to package and label Cannabis products.

2.16G-Cannabis Retailer:

An establishment licensed to sell cannabis to consumers. For the purposes of this definition a hybrid retailer (one which sells cannabis products to consumers and medical marijuana products) shall be considered a cannabis retailer.

2.17A - Certification:

4.9.4 - Special Permits:

The following uses may be permitted when granted a Special Permit by the Planning and Zoning Commission.

- 4.9.4.1 Mixed residential/commercial uses where the current use of the property is residential and less than fifty (50) percent of the structure will continue to be used residentially.

Mixed Commercial and Multi-Family Uses provided a parcel contains a minimum of five (5) acres and at least twenty five (25%) of the total lot area is reserved for commercial development, then multi-family development shall be permitted on said parcel subject to the following:

a. The portion of the lot devoted to multi-family use must comply with Sec. 4.7.5 and Section 4.7.6 of the Vernon Zoning Regulations.

b. The site shall be entirely serviced by public sewers and by public water.

- 4.9.4.2 Funeral homes.

- 4.9.4.3 Hotels or motels.

- 4.9.4.4 Hospitals, places of worship, schools, public libraries, public utility structures, governmental buildings, cemeteries, golf courses, country clubs, non-profit recreational facilities.

- 4.9.4.5 Any retail outlet dealing in merchandise or service similar to the items listed above as permitted uses.

- 4.9.4.6 Commercial education or recreational activities.

- 4.9.4.7 Telecommunication towers.

- 4.9.4.8 Residential facilities for special education.

- 4.9.4.9 Deleted.

- 4.9.4.10 Deleted. Cannabis Retailer, subject to Section 17.1

- 4.9.4.11 Seller or server of alcoholic beverages unless considered an excluded establishment as stated in section 17.1.1.

- 4.9.4.12 Deleted.

- 4.9.4.13 Commercial kennel, as defined in Section 2, provided that such a facility is located no closer than three hundred (300) feet from a residence or residential district. The three hundred (300) feet separation requirement shall not apply to veterinary facilities housed inside a building.

- 4.9.4.14 General automotive repairing and servicing. The sale of gasoline and/or used vehicles is not permitted with this use.

- 4.9.4.15 In addition to any other required permits or approvals, a Special Permit shall be required for any use or development in this zone when any of the following thresholds are met for any parcel or development.

4.9.4.15.1 More than forty (40) off-street spaces are required or;

4.9.4.15.2 The proposed structure is within two-hundred (200) feet of a residential structure or;

4.9.4.15.3 The proposed development has any off-street parking or loading spaces within one-hundred (100) feet of a residential structure or;

4.9.4.15.4 The aggregate square footage for all structures on any parcel exceeds twenty-five (25) thousand;

4.17.3 - Special Permits:

The following uses may be permitted when granted a Special Permit by the Planning & Zoning Commission:

- 4.17.3.1 Multi-family dwellings, and accessory uses customarily incidental to them, provided that such accessory uses shall not be conducted for gain. Multi-family units are subject to the requirements of Section 10.1.1 and Sections 4.7.5, 4.7.6, and 4.7.7 of these Zoning Regulations.
- 4.17.3.2 Professional or business offices, banks or other financial institutions.
- 4.17.3.3 Convalescent homes or nursing homes and assisted living facilities when connected to public water and sanitary sewer.
- 4.17.3.4 Indoor movie theaters.
- 4.17.3.5 Church buildings, schools, public libraries, public utility structures, cemeteries, hospitals, and governmental buildings.
- 4.17.3.6 Residential facilities for special education.
- 4.17.3.7 Funeral homes.
- 4.17.3.8 Buildings, which have previously been used industrially, and existing industrial operations located within the residential commercial zone may be allowed. Existing industrial buildings and operations are not subject to Section 11 of the regulations. These existing industrial buildings may be extended, enlarged or rebuilt only after a Special Permit is obtained. All industrial buildings and operations are subject to the requirements set forth in Section 4.19—Historic District—Industrial.
- 4.17.3.9 Retail sale of food, non-alcoholic beverages, drugs, clothing, jewelry, hardware, stationery, specialty items, household appliances or furnishings.
- 4.17.3.10 Personal convenience services limited to barbershops, beauty shops and dry cleaning establishments.
- 4.17.3.11 Full service restaurant with or without alcoholic beverage permit.
- 4.17.3.12 Seller or server of alcoholic beverages unless considered an excluded establishment as stated in section 17.1.1.
- 4.17.3.13 Public parks and public recreational areas.
- 4.17.3.14 Hospitals, medical offices, laboratories and similar health care facilities.
- 4.17.3.15 Commercial parking facility.
- 4.17.3.16 Drive-up service window by approval of both a Site Plan and a Special Permit.
- 4.17.3.17 Additional signage and/or signs in excess of fourteen (14) square feet. These signs area also subject to the requirements of Section
- 4.17.3.18 ~~Deleted—Cannabis retailer, subject to Section 17.1~~
- 4.17.3.19 Deleted.
- 4.17.3.20 Commercial, educational or recreation services.
- 4.17.3.21 Any retail outlet dealing in merchandises or services which the Commission finds to be similar in nature to the above use.
- 4.17.3.22 Child Day Care Centers.
- 4.17.3.23 Multiple single-family dwellings subject to the requirements of Section 4.7.5.2, 4.7.6, 4.7.7, and 17.3.3, and to a finding to be made by the Commission that the construction of, or conversion

4.21.5 - Special Permits:

The following may be permitted when granted a Special Permit by the Planning & Zoning Commission:

- 4.21.5.1 Full service restaurants.
- 4.21.5.2 Research and experimental laboratories.
- 4.21.5.3 Banks or other financial institutions without drive-up windows.
- 4.21.5.4 Governmental facility.
- 4.21.5.5 Retail sale of food, non-alcoholic beverages, drugs, clothing, jewelry, hardware and building materials, stationery, household appliances or furnishings, specialty items, and general merchandise.
- 4.21.5.6 Recreational and educational facilities.
- 4.21.5.7 Personal convenience services excluding weight studios, counseling and therapy services, and encounter groups, other than those performed in a professional office.
- 4.21.5.8 Nursing or convalescent homes and assisted living facilities.
- 4.21.5.9 Hotels or motels.
- 4.21.5.10 Accessory uses customarily incidental to the above uses.
- 4.21.5.11 In addition to any other required permits or approvals, a Special Permit shall be required for any use or development in this zone when any of the following thresholds are met for any parcel or development.
 - 4.21.5.11.1 More than forty (40) off-street parking spaces are required or;
 - 4.21.5.11.2 The proposed structure is within two-hundred (200) feet of a residential structure or;
 - 4.21.5.11.3 The proposed development has any off-street parking or loading spaces within one hundred (100) feet of a residential structure or;
 - 4.21.5.11.4 The aggregate square footage for all structures on any parcel exceeds twenty-five (25,000) thousand;
 - 4.21.5.11.5 This section shall not apply to developments or subsequent modifications to projects approved by the Commission when said original approvals were obtained prior to March 1, 1992.
 - 4.21.5.11.6 Lot coverage of fifty-five (55) percent or more. In order to grant this Special Permit, the Commission must find that this additional coverage will not increase the off-site storm water runoff or it is the written opinion of the Town Engineer that all storm water runoff should be discharged off-site. If the area is in an aquifer protection zone, the provision of Section 20.5 shall also apply.
 - 4.21.5.11.7 A structure with a height exceeding three (3) stories or forty (40) feet. In order to grant this Special Permit, the Commission must receive a written opinion from the Fire Marshal as to the fire safety aspects the increased height would involve.
 - 4.21.5.11.8 Deleted.
 - 4.21.5.11.9 Outside displays when said displays occupy an area greater than 10% of the gross floor area of the individual business utilizing the display.
- 4.21.5.12 Retail sale of food with alcoholic beverages permit.
- 4.21.5.13 Day care centers.

- 4.21.5.14 Drive-up service window by approval of both a Site Plan and a Special Permit.
- 4.21.5.15 Message board sign by approval of both a Site Plan and Special Permit.
- 4.21.5.16 One sign, per business, not larger than fourteen (14) square feet, provided this sign meets all the other requirements of Section 16. Additional signage and/or signs in excess of fourteen (14) square feet and otherwise in compliance with Section 16 may be permitted when granted a Special Permit by the Planning & Zoning Commission.
- 4.21.5.17 Indoor movie theaters.
- 4.21.5.18 Funeral homes.
- 4.21.5.19 Seller or server of alcoholic beverages subject to Section 17.1, Alcoholic Liquors.
- 4.21.5.20 Hospitals, medical offices, laboratories and similar health care facilities.
- 4.21.5.21 Cannabis retailer, subject to Section 17.1

(Appl. PZ-2019-04(2), 7-18-2019)

4.23.5 - Special Permits:

The following uses may be permitted when granted a Special Permit by the Planning & Zoning Commission (PZC) subject also to the provisions of Section 17.3:

- 4.23.5.1 Massage therapy establishments, subject also to the provisions of Sections 4.9.4.22 and 4.9.4.23.
- 4.23.5.2 Facilities containing three (3) or more electronic, mechanical, video or similar games or devices.
- 4.23.5.3 Sellers and servers of alcoholic beverages when not accessory to a full service restaurant. This use shall also be subject to the provisions of Section 17.1.
- 4.23.5.4 Veterinary offices, provided there shall be no over-night facilities for animals.
- 4.23.5.5 Manufacturing, storing, processing, fabricating, packaging or assembling activities wholly within a building or a unified complex of buildings.
- 4.23.5.6 Wholesale distribution or warehousing.
- 4.23.5.7 Printing or publishing establishments.
- 4.23.5.8 Indoor movie theatres; performing arts theatres, auditoriums.
- 4.23.5.9 Multi-family dwellings, subject also to the provisions of Sections 10.1, 4.7.5, and 4.7.7. However, there shall be no increase permitted in the number of separate dwelling units within existing multi-family residential buildings.
- 4.23.5.10 Mixed non-residential and residential uses upon a single parcel.
- 4.23.5.11 Conversion of residential to non-residential use, conversion of non-residential to residential use.
- 4.23.5.12 Bed and Breakfast (B&B); hotels, motels.
- 4.23.5.13 Day care establishments.
- 4.23.5.14 Emergency shelters for the homeless.
- 4.23.5.15 Home based businesses of Major—Type 2.
- 4.23.5.16 Professional or business offices; governmental offices and facilities, clinics; dental, medical and health offices, tattoo studio, any of which are to be located on the ground floor of a building.
- 4.23.5.17 Places of worship or religious facilities to be located on the ground floor of a building that was not originally constructed for that purpose.
- 4.23.5.18 Retail sales of merchandise similar in nature, as determined by the Commission, to the items permitted in Section 4.23.3.1.
- 4.23.5.19 Additional signs other than those permitted in Section 4.23.3.12, subject also to the provision of Section 16.
- 4.23.5.20 Laboratories and research facilities.
- 4.23.5.21 In addition to any other permits or approvals, a special permit is required for development in this zone when any of the following thresholds are met:
 - 4.23.5.21.1 The proposed development has off-street parking area or loading spaces located within fifty feet (50') of a residence.
 - 4.23.5.21.2 Lot coverage of eighty percent (80%) or more. In order to grant this Special Permit, the Planning and Zoning Commission (PZC) must find that the additional lot coverage will

not increase the off-site storm water run-off or it is the opinion, in writing, of the Town Engineer that all storm water run off should be discharged from the site. If the parcel is in an aquifer protection zone, the provisions of Section 20.5 shall also apply.

4.23.5.21.3 A structure exceeding three (3) stories or forty feet (40') of height. In order to grant this Special Permit, the Planning & Zoning Commission (PZC) must receive a written opinion from the Fire Marshal in regard to the fire safety aspect related to the increased height.

4.23.5.21.4 Outside displays by retail sales establishments when said displays occupy an area greater than ten percent (10%) of the gross floor area of the individual business utilizing the display and continue for a period in excess of seventy-two (72) hours.

4.23.5.21.5 Drive-up service window by approval of both a Site Plan and a Special Permit.

4.23.5.22 Adaptive Re-use per Sections 2.96 & 3.26

4.23.5.23 Message board sign by approval of both a Site Plan and Special Permit.

4.23.5.24 Convalescent homes or nursing homes and assisted living facilities when connected to public water and sanitary sewer.

4.23.5.25 Residential facilities for special education.

4.23.5.26 Cannabis retailer, subject to Section 17.1

17.1 - Alcoholic liquors: ~~and Cannabis Retailers:~~

In those districts, which permit sellers and/or servers of alcohol ~~and, or cannabis retailers~~, the standards to be applied are as follows and are in addition to the requirements of Section 17.23.

17.1.1 The following separating distances shall be applied to all establishments seeking to permit the sale of alcoholic liquors, excluding;

- 1) full service restaurants as defined under Section 2 and;
- 2) the sale of beer by an establishment, chiefly engaged in the sale of groceries under a grocery store beer permit (as defined in the State Liquor Control Act) and
- 3) the sale of alcoholic liquor to be consumed on the premises of a commercial bowling establishment containing ten (10) or more lanes under a bowling establishment permit (as defined in the State Liquor Control Act).
- 4) manufacturer of alcoholic liquors with on-site selling of their product as accessory to the manufacturing component, for consumption on-site or off-site (as permitted in the State Liquor Control Act).

17.1.2 Separating distances shall be measured from the main public access door of an establishment to the main public access door of any other establishment in a straight line.

	FEET
Seller to seller	3,000
Server to server	2,000
Seller/server to public institution 1,000 except for distance to any high school, which shall be	2,000

17.1.2.1 ~~— A Special Permit will be required:~~

~~17.1.2.2~~ Upon the change of primary use within either class (example, convenience store with a beer permit to a package store) of sellers or servers.

17.1.2.32 Upon a change from seller to server or vice versa (example, a package store to a restaurant).

17.1.3 In addition to this paragraph, all sales or serving of alcoholic liquors are subject to the requirements of the Liquor Control Act of the State of Connecticut.

17.1.4 ~~On an annual basis, the Zoning Enforcement Officer~~The following separating distances shall be applied to all establishments seeking to permit the retail sale of Cannabis (cannabis retailer):

Cannabis retailer to a public or parochial school: 500 feet.

17.1. verify in writing, that no zoning violations exist at any⁵ The separating distance shall be measured from the main public access door of each establishment ~~holding an alcoholic beverages permit.~~

17.1.6 Hours of operation shall be limited to 8 a.m. to 10 p.m. Monday to Saturday. Sunday 10 a.m. to 6 p.m.

17.1.7 An operations plan, including but not limited to a description of all on-site activities, a floor plan, a security plan, and a traffic and access plan shall be submitted with each special permit application.

17.1.8 Cannabis shall not be consumed, ingested or smoked on the premises.

17.1.9 Retail Cannabis sales shall not be considered an accessory use; It shall only be permitted as a primary use.

USE THIS FORM ONLY IF THE REQUIREMENTS OF
8.3(a)/22-a-42a(b) OF THE C.G.S. MUST BE MET

RECEIPT FOR DOCUMENTS SUBMITTED FOR PUBLIC INSPECTION

Applicant shall file a copy of any proposed regulation Amendment, Zone Change, or Wetlands Redesignation with the Town Clerk ten (10) days prior to the hearing as per **Section 8-3(a) AND (d) AND 22a-42a (b)** of the General Statutes. Certification of the filing under these sections by the applicant must be presented at the public hearing.

TO: VERNON TOWN CLERK
FROM: George K. McGregor
REFERENCE: PZ-2021-11 Cannabis Establishments
DATE: _____

The attached documents, consisting of:
Zoning Text Amendment and supporting documentation
related to Cannabis Establishments and other uses

Are being submitted for public inspection under CSG 8-3(a)/22a-42a (b).

Received: _____
Vernon Town Clerk Signature: _____
Date: _____

APPLICATION

For Receipt



TOWN OF VERNON PLANNING & ZONING COMMISSION (PZC)
APPLICATION

(Revised March 2021)

The PZC may require additional information to be provided by the applicant in the course of reviewing the application and during the monitoring of the project. Provide all the information requested.

APPLICANT (S)

NAME: Shaun Gately, Economic Development Coordinator
 COMPANY: Town of Vernon
 ADDRESS: 55 West Main St.
 TELEPHONE: 860-8703637 E-MAIL: sgately@vernon-ct.gov

PROPERTY OWNER (S)

NAME: _____
 ADDRESS: _____
 TELEPHONE: _____ EMAIL: _____

If the applicant is not the property owner, include a letter from the property owner authorizing the applicant to seek approval by the PZC, if no signature accompanies the application. (ZR Section 2.3)

PROPERTY

ADDRESS: _____

ASSESSOR'S ID CODE: MAP # _____ BLOCK # _____ LOT/PARCEL # _____

LAND RECORD REFERENCE TO DEED DESCRIPTION: VOLUME: _____ PAGE _____

DOES THIS SITE CONTAIN A WATERCOURSE AND/OR WETLANDS? (SEE THE INLAND WETLANDS MAP AND REGULATIONS)

___ NO ___ YES

___ NO REGULATED ACTIVITY WILL BE DONE

___ REGULATED ACTIVITY WILL BE DONE

___ IWC APPLICATION HAS BEEN SUBMITTED

ZONING DISTRICT _____

IS THIS PROPERTY LOCATED WITHIN FIVE HUNDRED (500) FEET OF A MUNICIPAL BOUNDARY?

___ NO

___ YES: _____

CHECK IF HISTORIC STATUS APPLIES:

___ LOCATED IN HISTORIC DISTRICT: _____

___ INDIVIDUAL HISTORIC PROPERTY

PROJECT SUMMARY

Describe the project briefly in regard to the purpose of the project and the activities that will occur. Attach to this application a complete and detailed description with maps and documentation as required by the "Town of Vernon Zoning Regulations" and "Town of Vernon Subdivision Regulations".

PURPOSE: Zoning Ordinance Amendment to Section 4.25.3

GENERAL ACTIVITIES: Amend Section 4.25.3 to clarify the intent of the language related to overnight parking.

APPROVAL REQUESTED

 SUBDIVISION OR RESUBDIVISION

- SUBDIVISION (SUB. SEC. 4, 5, 6)
- RESUBDIVISION (SUB. SEC. 4, 5, 6)
- MINOR MODIFICATION OF SUBDIVISION OR RESUBDIVISION (SUB. SEC. 4.6)
- AMENDMENT OF SUBDIVISION REGULATIONS (SUB. SEC. II)

SEE SUBDIVISION REGULATIONS SEC. 4 FOR APPLICATION FEE SCHEDULES.

 SOIL EROSION AND SEDIMENT CONTROL PLAN (ESCP) (ZR SEC. 2.117; 18) (SUB. 6.14)

 SITE PLAN OF DEVELOPMENT (POD) (ZR SEC. 14)

- POD APPROVAL (ZR SEC. 14.1.1.1; 14.1.2)
- MODIFICATION OF AN APPROVED POD (ZR SEC. 14.1.1.1)
- MINOR MODIFICATION OF A SITE POD (ZR SEC. 14.1.1.2)

 SPECIAL PERMIT(S) (ZR SECTION 17.3) SECTION:

 OTHER SPECIAL PERMIT(S). CITE ZR SECTION AND DESCRIBE ACTIVITY:

 X **ZONING:**

- SITE SPECIFIC CHANGE OF ZONING DISTRICT AND MAP (ZR SEC. 1.2; 1.3; 4)
- X AMENDMENT OF ZONING REGULATIONS (SEC. 1.2; 1.3; 4)

CERTIFICATION AND SIGNATURE

The applicant, undersigned, has reviewed the "Town of Vernon Planning and Zoning Regulations" and completed the application with complete and accurate information:

Property Owner, Applicant, or Applicant's Agent:



APPLICANT OR AGENT SIGNATURE

Shawn Gateley

PRINTED NAME

9-9-21

DATE

OWNER'S SIGNATURE, IF DIFFERENT

PRINTED NAME

DATE

4.25.3 - Permitted and Prohibited Uses:

There are no permitted uses or Special Exceptions in this zone. Prohibited uses and activities include, but are not limited to, those uses and activities that would pose an unreasonable risk of having a significant adverse impact upon the surface water or groundwater resources of the Tankerhoosen River Watershed, including but not limited to, the following: Gasoline sales; automotive, sales, service, repairs or storage; the garaging or overnight parking of trucks (not including trucks or other vehicles associated with, or accessory to uses such as manufacturing, distribution, retail, storage, etc... permitted through the special permit process and deemed to have met or exceeded the purpose of the district) or recreation vehicles (RV's); dry cleaning or commercial laundry facilities; car wash facilities; film processing or commercial photographic processing; junk yards; industrial waste storage or processing facilities; and the manufacture, treatment, handling, transportation, disposal or storage of hazardous materials, including bulk fuel storage.

USE THIS FORM ONLY IF THE REQUIREMENTS OF
8.3(a)/22-a-42a(b) OF THE C.G.S. MUST BE MET

RECEIPT FOR DOCUMENTS SUBMITTED FOR PUBLIC INSPECTION

Applicant shall file a copy of any proposed regulation Amendment, Zone Change, or Wetlands Redesignation with the Town Clerk ten (10) days prior to the hearing as per **Section 8-3(a) AND (d) AND 22a-42a (b)** of the General Statutes. Certification of the filing under these sections by the applicant must be presented at the public hearing.

TO: VERNON TOWN CLERK
FROM: Shaun Gately
REFERENCE: PZ-2021-12 Overnight parking in PDZ
DATE: _____

The attached documents, consisting of:
Zoning Text Amendment and supporting documentation
related to Section 4.25.3

Are being submitted for public inspection under CSG 8-3(a)/22a-42a (b).

Received: _____
Vernon Town Clerk Signature: _____
Date: _____

APPLICATION

1

PZ 2021-09



TOWN OF VERNON PLANNING & ZONING COMMISSION (PZC)

APPLICATION

(Revised March 2021)

The PZC may require additional information to be provided by the applicant in the course of reviewing the application and during the monitoring of the project. Provide all the information requested.

APPLICANT (S)

NAME: Alish Kumar Garala
COMPANY: Vernon Bottle Return
ADDRESS: 77 Industrial Park Road Vernon CT 06066
TELEPHONE: 860 729 6365 E-MAIL: Alish.Garala@gmail.com

PROPERTY OWNER (S)

NAME: Industrial Property Group LLC
ADDRESS: PO Box 154 Vernon CT 06066
TELEPHONE: 860-989-6636 EMAIL: patrickdwyer1115@gmail.com

If the applicant is not the property owner, include a letter from the property owner authorizing the applicant to seek approval by the PZC, if no signature accompanies the application. (ZR Section 2.3)

PROPERTY

ADDRESS: 77 Industrial Park Road, Vernon CT 06066

ASSESSOR'S ID CODE: MAP # ___ BLOCK # ___ LOT/PARCEL # 2801330005H

LAND RECORD REFERENCE TO DEED DESCRIPTION: VOLUME: ___ PAGE ___

DOES THIS SITE CONTAIN A WATERCOURSE AND/OR WETLANDS? (SEE THE INLAND WETLANDS MAP AND REGULATIONS)

☐ NO ☒ YES

☒ X NO REGULATED ACTIVITY WILL BE
☐ DONE REGULATED ACTIVITY WILL BE
DONE ☐ IWC APPLICATION HAS BEEN SUBMITTED

ZONING DISTRICT 1

IS THIS PROPERTY LOCATED WITHIN FIVE HUNDRED (500) FEET OF A MUNICIPAL BOUNDARY?

☒ X NO
☐ YES: _____

CHECK IF HISTORIC STATUS APPLIES:

☐ LOCATED IN HISTORIC DISTRICT: _____
☐ INDIVIDUAL HISTORIC PROPERTY

RECEIVED

AUG 17 2021

TOWN PLANNERS OFFICE

PROJECT SUMMARY

Describe the project briefly in regard to the purpose of the project and the activities that will occur. Attach to this application a complete and detailed description with maps and documentation as required by the "Town of Vernon Zoning Regulations" and "Town of Vernon Subdivision Regulations".

PURPOSE: bottle redemption for used containers

GENERAL ACTIVITIES: Redemption center of used containers

APPROVAL REQUESTED

SUBDIVISION OR RESUBDIVISION

- ☐ SUBDIVISION (SUB. SEC. 4, 5, 6)
- ☐ RESUBDIVISION (SUB. SEC. 4, 5, 6)
- ☐ MINOR MODIFICATION OF SUBDIVISION OR RESUBDIVISION (SUB. SEC. 4.6)
- ☐ AMENDMENT OF SUBDIVISION REGULATIONS (SUB. SEC. II)

SEE SUBDIVISION REGULATIONS SEC. 4 FOR APPLICATION FEE SCHEDULES.

☐ SOIL EROSION AND SEDIMENT CONTROL PLAN (ESCP) (ZR SEC. 2.117; 18) (SUB. 6.14)

☐ SITE PLAN OF DEVELOPMENT (POD) (ZR SEC. 14)

- ☐ POD APPROVAL (ZR SEC. 14.1.1.1; 14.1.2)
- ☐ MODIFICATION OF AN APPROVED POD (ZR SEC. 14.1.1.1)
- ☐ MINOR MODIFICATION OF A SITE POD (ZR SEC. 14.1.1.2)

☐ SPECIAL PERMIT(S) (ZR SECTION 17.3) SECTION: _____

☒ X OTHER SPECIAL PERMIT(S). CITE ZR SECTION AND DESCRIBE ACTIVITY:

Redemption center for used containers (4.10.4.8)

ZONING:

- ☐ SITE SPECIFIC CHANGE OF ZONING DISTRICT AND MAP (ZR SEC. 1.2; 1.3; 4)
- ☐ AMENDMENT OF ZONING REGULATIONS (SEC. 1.2; 1.3; 4)

CERTIFICATION AND SIGNATURE

The applicant, undersigned, has reviewed the "Town of Vernon Planning and Zoning Regulations" and completed the application with complete and accurate information:

Property Owner, Applicant, or Applicant's Agent:

Alishkumar Garale
APPLICANT OR AGENT SIGNATURE

Alishkumar Garale
PRINTED NAME

19 JUL 2021
DATE

Patrick Dwyer
OWNER'S SIGNATURE, IF DIFFERENT

Patrick Dwyer
PRINTED NAME

7/14/21
DATE

Business: Vernon Bottle Return

Address: 77 Industrial Park Road Unit 1A & 1B, Vernon, CT 06066

Owner: Alishkumar Garala

Contact: 860-729-6365 | Email: alish.garala@gmail.com

www.ctredemption.com

Square Footage: 8000 sq. ft.

Hours of Operation: Mon-Sat 9am-5pm

Brief Description

We are changing the way bottle return is done. We are here to save you time, money, and the environment by recycling with us. Our system enables redemption of thousands of empty beverage containers in minutes. We make bottle return quick, easy, and fun.

Our state of the art counting machines (refer to below image) can count thousands of empty beverage. We work with general public and non-profits such as scout troops, churches, schools, etc.

We have existing locations in South Windsor and Windsor, CT. We have been in business for over 12 years. We are proud to say we have been working with Vernon Boy Scouts at South Windsor location for years. We look forward to expanding to Vernon so we can be conveniently located to service the Town of Vernon.

How It Works

Customers walk in with their empty beverage containers from front door (refer to drawing). There will be three machines that will be processing cans and plastics (refer to drawing). Customers will dump their plastics onto the plastic counter and cans onto the can counter. The machines can count thousands of containers in minutes. The machine will print a receipt which customers will redeem on site.

Our facilities are kept clean at all times. All containers are kept in enclosed bags in the storage area (refer to drawing) until they are picked up by third party. Nothing will be stored outside. Also, there is no actual crushing or processing of materials done on site so there is no issue with noise or cleanliness. Cleaning is done daily.



SOUTH WINDSOR LOCATION



Jason McCallum

1 review

5 months ago

I've been using this center for the past 5 years. Each year the efficiency of the redemption process improves. The adding of additional machines, the increase of employees, and clearly displayed directions / instructions have improved the rate at which I'm in and out. Not as time consuming as using a grocery store machine.



DMK-pani wodna Kluciewicz

3 reviews

3 weeks ago **NEW**

Quick, easy, recycling of returnable cans, plastic and glass bottles.

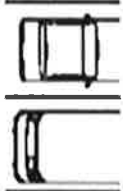


Tiffany West

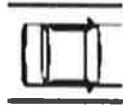
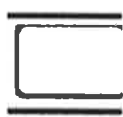
Local Guide · 185 reviews

3 months ago

The best bottle return in Connecticut



CUSTOMER
PARKING



CUSTOMER
ENTRANCE

Mandoor

Overhead Door

Mandoor

EMPLOYEE
ONLY

Office

INCLUDES
CCTV

Bathroom

EMPLOYEE
BATHROOM

Bathroom

CUSTOMER
BATHROOM

CUSTOMER
WASH AREA

PLASTIC & CAN COUNTING MACHINES



77 Industrial Park Road Unit 1A & 1B

8000 sq. ft.

TRUCK
ACCESS



USED FOR STORAGE OF BAGS
AWAITING TO BE PICKED UP

Mandoor

Overhead Door w/ Loading Dock

Mandoor

Overhead Door w/ Loading Dock

SHIPPING &
RECEIVING

SHIPPING &
RECEIVING

28-0133-0001B
MARTOCCHIO CARMEN
151 BAMFORTH RD
VERNON CT 06066

30-0133-0005I
GREEN ENERGY REALTY LLC
75 GERBER RD EAST
SOUTH WINDSOR CT 06074

30-0133-00005
COYOTE FALT LLC
30 INDUSTRIAL PARK RD
VERNON CT 06066

30-0133-0001C
BLONSTEIN BART D
PO BOX 532
VERNON CT 06066-0532

30-0133-0005G
INDUSTRIAL PARK ROAD LLC
75 GERBER ROAD EAST
SOUTH WINDSOR CT 06074

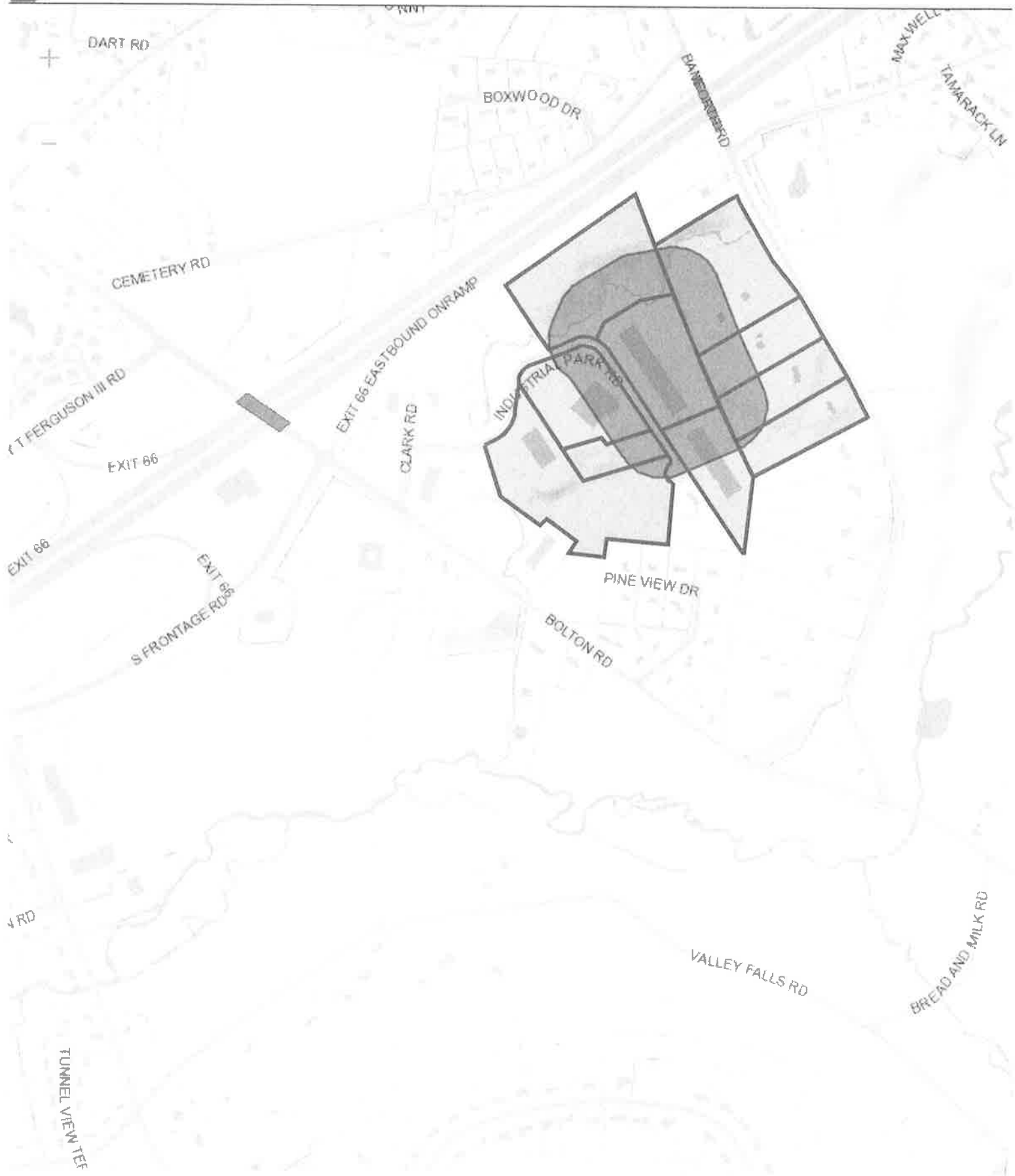
28-0133-0001A
BONAN ROBERT G & SUSAN S
137 BAMFORTH RD
VERNON CT 06066-5620

28-0133-0005H
INDUSTRIAL PROPERTY GROUP LLC
PO BOX 154
VERNON CT 06066

28-0133-00001
BRESCIA WILLIAM G & ANNEMARIE
125 BAMFORTH RD
VERNON CT 06066-5620

28-0133-0005K
PRIMUS FAMILY TRUST
102 FARMSTEAD RD
SOUTHINGTON CT 06489-2407

30-0133-0005K
62 INDUSTRIAL PARK ROAD LLC
PO BOX 376
ELLINGTON CT 06029



STAFF COMMENTS



PLANNING
DEPARTMENT

TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066
(860) 870-3640
gmcgregor@vernon-ct.gov

MEMORANDUM

TO: Planning and Zoning Commission

FROM: George K. McGregor, AICP, Town Planner

SUBJECT: PZ-2021-09, 77 Industrial Park Rd. Bottle Redemption Center

DATE: September 16, 2021

Request and Background



Alishkumar Garala, owner of owner of Vernon Bottle Return ("Applicant") requests a Special Permit in order to allow a used beverage redemption center at 77 Industrial Park Rd., Suite 1 (Assessor ID: Map 28, Block 133, Parcel 5H). The property is 6 acres and zoned Industrial (I). Pursuant to Section 4.10.4.8, a redemption center is permitted upon Special Permit review and approval and upon a finding that

the applicable standards of Section 17 are met.

The Applicant owns and operates redemption centers in S. Windsor and Windsor and desires to expand to Vernon. He plans to occupy an approximately 8,000 s.f. tenant space at the westernmost end of the in-line industrial building. No site work is planned. Under the Town definition a redemption center is:

A facility wholly within a building or complex of buildings at which the public submits use beverage containers, such as bottles and cans, to receive refund or rebate of deposits paid on the containers when the beverage was purchased.



Furthermore, in order to approve a special permit, the Commission must find that the applicant meets the relevant general special permit criteria of Section 17.3.1, specifically:

- 17.3.1.1 It shall not create a hazardous condition relative to public health and safety;
- 17.3.1.2 It shall be compatible with neighboring uses;
- 17.3.1.3 It shall not create a nuisance;
- 17.3.1.4 It shall not hinder the future sound development of the community;
- 17.3.1.5 It shall conform to all applicable sections of this ordinance;

Analysis and Recommendation

Outdoor storage and activities should be carefully scrutinized. The applicant has provided an interior layout showing sorting and processing activities within the business space (attached in the applicant submission packet). In the submitted narrative, the applicant states that “nothing will be stored outside.” Staff notes that at the S. Windsor center, there are several storage units on premises which store bagged containers. For the Vernon site, no storage units are indicated. Staff has asked the applicant to confirm this information. There are no other Staff identified issues.

Draft Motions

A. I move that the Planning and Zoning Commission Approve PZ-2021-09, a special permit for a redemption center for used beverage containers at 77 Industrial Park Rd. based upon a finding that the special permit meets the relevant general special permit criteria of 17.3.1, subject to the following conditions:

1. No outdoor storage or container sorting activity is permitted. All activities except for transportation-related loading and unloading, shall take place indoors.

OR

B. I move an alternate motion

From: [McGregor, George](#)
To: [McGregor, George](#)
Subject: Zoning Comments 77 Industrial Bottle redemption Center
Date: Monday, August 30, 2021 1:43:44 PM

1) Definition From Zoning Regulation 2.92 Redemption Center for Used Beverage Containers: A facility wholly within a building or complex of buildings at which the public submits used beverage containers, such as bottles and cans, to receive refund or rebate of deposits paid on the container when the beverage was purchased.

2) All activities for the use shall be inside the building.

George K. McGregor, AICP
Town Planner
Town of Vernon
55 West Main Street
Vernon, CT. 06066-3291
Phone: (860) 870-3640
Mobile: (860) 336-1846