

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Virtual Meeting Notice & Agenda
Thursday, March 4, 2021 7:30 PM

Join Zoom Meeting

Zoom Meeting Information

<https://us02web.zoom.us/j/83739189625?pwd=RkhKVmgyZStUNDgxaVdJT0s0RTJlQk9>

Meeting ID: 837 3918 9625 **Passcode:** xUsD9V

By Phone: 646 876 9923 **Meeting ID:** 837 3918 9625 **Passcode:** 922223

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 **February 18, 2021.**
3. **New Application(s) for receipt, if any:**
4. **Public Hearing(s) and Action on Applications:**
 - 4.1 Application [**PZ-2021-04**] Ernesto Aulet, requests a special permit pursuant to Section 4.10.4.4, to allow an Automotive Repair Shop at 77 Industrial Park Rd., (Assessor's ID: Map 28, Block 133, Parcel 5H). This property is zoned Industrial.
5. **8-24 Referrals, If any**
6. **Plan of Conservation and Development Update**
7. **Other Business/Discussion**
 - 7.1 Draft PZC Meeting Procedures Summary, dated February 25, 2021.
8. **Adjournment**

Roland Klee, Chairman
Planning & Zoning Commission

DRAFT MINUTES

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Thursday, February 18, 2021, 7:30 PM

Zoom Meeting

DRAFT MINUTES

1. **Call to Order & Roll Call by Roland Klee, Chairman at 7:30 PM**
 - Regular members present: Roland Klee, Robin Lockwood, Mike Mitchell, Susan Reudgen and Jesse Schoolnik
 - Alternate Member: Carl Bard sitting for Joseph Miller
 - Absent Members: Joseph Miller and Iris Mullan
 - Staff present: George McGregor, Town Planner, Shaun Gately, EDC/Asst Planner
 - 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

Susan Reudgen motioned to **ADOPT** the agenda. Jesse Schoolnik seconded and the motion carried unanimously.

 - 2.3 Approval of the Minutes from the **February 4, 2021**.

Susan Reudgen motioned to **APPROVE** the February 4, 2021. Robin Lockwood seconded and the motion carried unanimously.

3. **New Application(s) for receipt, if any:**
 - 3.1 Application [**PZ-2021-02**] Krause Realty Trust, requests a zone change from R-27 to Commercial (C) and Open Space Zone (OSZ) to two parcels, one located at 34 Acorn Rd. containing 1.1457 acres, (Assessor's ID: Map 01, Block 159A, Parcel 00002) and the other located at 42 Acorn Rd containing 1.2407 acres, (Assessor's ID: Map 01, Block 159A, Parcel 00001), to provide additional inventory parking at an automobile dealership.

George McGregor, Town Planner, explained the details of Application [**PZ-2021-02**] **AND** Application [**PZ-2021-03**] together. The application is looking for a zone change in order to create additional inventory parking at 6 Hartford Tpke., 32 Acorn Rd. and 34 Acorn Rd. A hearing date of March 18, 2021 was recommended.

Discussion ensued.

Carl Bard motioned to receive Application [**PZ-2021-02**] **AND** Application [**PZ-2021-03**] for public hearing on March 18, 2021. Susan Reudgen seconded and the motion carried with Robin Lockwood abstaining.

 - 3.2 Application [**PZ-2021-03**] Krause Realty Trust, requests a site plan of development approval for the expansion of parking areas for inventory storage at an automobile dealership, one located at 6 Hartford Tpke., (Assessor's ID: Map 01, Block 0159, Parcel 0001B), another located at 34 Acorn Rd., (Assessor's ID: Map 01, Block 0159A, Parcel 00002), and the last at 42 Acorn Rd., (Assessor's ID: Map 01, Block 0159A, Parcel 00001).

Hearing date of March 18, 2021 set in above motion.

- 3.3 Application **[PZ-2021-04]** Ernesto Aulet, requests a special permit pursuant to Section 4.10.4.4, to allow an Automotive Repair Shop at 77 Industrial Park Rd., (Assessor's ID: Map 28, Block 133, Parcel 5H). This property is zoned Industrial.

George McGregor, Town Planner explained the details of Application **[PZ-2021-04]** requesting a special permit to allow automotive repair at their tow shop on 77 Industrial Park Rd. A hearing date of March 4, 2021 was recommended.

Robin Lockwood motioned to receive Application **[PZ-2021-04]** for public hearing on March 4, 2021. Susan Reudgen seconded and the motion carried unanimously.

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

NONE

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

NONE

6. **Plan of Conservation and Development Update**

George McGregor, Town Planner introduced Pat Gallagher and Liz Esposito of SLR (formerly Malone and MacBroom).

6.1 Recap January 14, 2021 Community Workshop

Pat Gallagher gave an update and Liz went over the top three planning issues.

- What residents seek out Rockville for.
- Economic development.
- Pedestrian priorities.
- Housing.
- Discussion ensued.
- What Vernon will look like in 2032.

6.2 Plan format and structure

Pat Gallagher spoke on format and structure.

- Visions, Goals, Objectives, and Strategies.
- Visions for the future – including land use, community, structure.
- Goals – organizing plan chapters around goals and strategies.
- Action agenda will provide details.

6.3 Draft vision statement

Pat Gallagher presented a draft Vision Statement for the Commission to review and discuss.

- Discussion ensued

6.4 Draft goals and objectives

Pat Gallagher provided draft Goals and Objectives for:

- Rockville
- Economic Growth and Expansion
- Housing
- Sustainability
- Resiliency
- Protect and Promote Vernon's natural and historic resources
- Cooperate with local and regional governments

Pat Gallagher concluded with the next steps and goals and that they would like to hold a second workshop in the Spring of 2021.

6.5 Other POCD discussion

NONE

7. **Other Business/Discussion**

7.1 Town Planner Report

George McGregor, Town Planner and Roland Klee, Chairperson are working on a PZC meeting flow and what should be on George's update report.

- Discussion ensued.

8. **Adjournment**

Susan Reudgen motioned to **ADJOURN** at 8:37 PM. Mike Mitchell seconded and the motion carried unanimously.

APPLICATION

1

TOWN OF VERNON PLANNING & ZONING COMMISSION (PZC)

APPLICATION

This form is to be used to apply to the Vernon Planning & Zoning Commission (PZC) for a change of zoning district, amendment of the Zoning Regulations, Site Plan of Development (POD), Special Permit(s), amendment of the Subdivision Regulations, and/or approval of a (re) subdivision, or DMV location approval. **Provide all the information requested.**

The applicant must be the property owner, the property owner's agent, the Town of Vernon, or someone with a direct financial interest in the subject property; said interest shall be explained and written permission for this application must be obtained from the property owner and submitted with this application if the applicant is not the property owner (ZR Section 2.3).

The list of approvals and the references to sections of the Regulations are for informational purposes only to assist with preparation of the PZC application and are not a definitive statement of the sole requirements that may apply to a specific project.

The applicant understands that the application is complete only when all information and documents required by the PZC have been submitted and, further, that any approval by the PZC relies upon complete and accurate information being provided by the applicant. **Incorrect information provided by the applicant may make the approval invalid.** 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:

I. APPLICANT:

Name: Mr. Ernesto Aulet

Title: _____

Company: RTT LLC

Address: 1505 John Fitch Blvd. Unit B

South Windsor, CT 06074

Telephone: 860-944-6778

Fax: _____

E-mail rtt.llc@yahoo.com

II. PROPERTY OWNER (S):

Name: Patrick Dwyer

Title: Owner

Company: Industrial Park Group LLC

Address: PO Box 154

Vernon, CT 06066

Telephone: 860-989-6636 Fax _____

E-mail: patrickdwyer1115@gmail.com

III. PROPERTY

Address: 77 Industrial Park Road

Assessor's ID Code: Map # 28 Block # 133 Lot/Parcel # 5H

Land Record Reference to Deed Description: Volume: 251 Page 255

Does this site contain a watercourse and/or wetlands? (See the Inland Wetlands Map and IWR Section 2.14, 2.15, 2.23, 2.24, 3.11; 4)

No Yes

No work will be done in regulated area
 Work will be done in the regulated area

IWC application has been submitted
 IWC application has not been submitted

Zoning District Industrial

Is this property located within five hundred (500) feet of a municipal boundary?

No
 Yes:

- Bolton
- Coventry
- Ellington
- Manchester
- South Windsor
- Tolland

Check if Historic Status Applies:

Located in historic district:

- Rockville
- Talcottville

Individual historic property

IV. PROJECT

Project Name: Industrial Park Group LLC

Project Contact Person:

Name: Mark Peterson

Title: Partner

Company: Gardner & Peterson Associates, LLC

Address: 178 Hartford Turnpike

Tolland, CT 06084

Telephone: 860-871-0808 Fax: _____

E-mail: mpeterson@gardnerpeterson.com

**V. PZC APPLICATION
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: To obtain approval of an Automotive Repair Shop to allow towing of vehicles to the site.

General Activities: _____

No site improvements proposed.

VI. APPROVAL (S) 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)
- ____ Town acceptance of a road (Sub. Sec. 6.5-6.8 & 9)
- ____ 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)**

- ____ Special Permit in an aquifer area (ZR Sec. 2.4; 2.5; 2.119; 20)
- ____ Special Permit for excavation (ZR Sec. 2.52; 2.79; 15)
- Special Permit for use in a district (ZR Sec. 1.2 & 4)
- ____ Special Permit for lot coverage (ZR Sec. 1.2; 2.61; 2.68; 4)
- ____ Special Permit for signs (ZR Sec. 1.2; 2.106-115; 4; 16; 21.7)
- ____ Special Permit for parking (ZR Sec. 4; 12; 21.4)
- ____ Special Permit for elderly housing (ZR Sec. 2.60; 17.4)
- ____ Special Permit for Bed & Breakfast (B & B) (ZR Sec. 2.9; 17.3.4)
- ____ Special Permit for serving alcohol (ZR Sec. 2.103, 17.1)
- ____ Special Permit for massage (ZR Sec. 2.76-78; 4)
- ____ Special Permit for telecommunications (ZR Sec. 2.21; 3.23 & 23)
- ____ Special Permit for dumps and/or incinerators (ZR Section 8)

VII. APPLICATION CONDITIONS / STIPULATIONS

The following provisions apply to all applications submitted to the Planning & Zoning Commission (PZC) and are incorporated as part of the application.

All information shall be submitted to the Town Planner and no application shall be considered as being filed if incomplete or if delivered to any other Town Official (Sub Sec.4).

If the area to be developed contains more than one-half (1/2) acre area that will be physically altered or disturbed, a completed erosion and sedimentation control plan (ESCP) in accordance with Zoning Regulations Section 18 and/or Subdivision Regulations Section 6.14, as applicable, must be submitted. The applicant shall be responsible for all costs associated with the certification of the ESCP.

By signing this application, permission is granted to Commission members, employees of the Town of Vernon, and persons assisting the Town Staff to go onto the subject property to make inspections pursuant to the application review, approval, bonding requirements, or obtaining information materially relevant to the application.

No application coming before a Commission may be withdrawn after it has been advertised for a public hearing unless the Chairman or Secretary of the Commission is notified in writing by the applicant or his representative not later than forty-eight (48) hours prior to the scheduled hearing before the Commission. All fees encumbered in the advertising and review of the application is non-refundable (ZR Section 1.5).

All applications must be submitted on drawings which are one of the following sizes: 8.5" x 11"; 12" x 18", 18" x 24"; 24" x 36". Subdivision and resubdivision maps must be 24" x 36".

The application shall include an 8.5" x 11" map showing the location of the site and an 8.5" x 11" general plan of development (POD) map showing the development proposed on the site.

A legal description of the subject property must be submitted with this PZC application. The legal description should bear the Volume number and Page number by which it is recorded in the land records.

Applications to the Planning & Zoning Commission (PZC) require notification of property owners within two hundred feet (200') of the subject property. A list of property owners and a complete set of mailing labels must be submitted with the application.

Applicants shall submit one copy of a brief narrative including a traffic impact statement, outlining the proposed activity and the reason for the application. The traffic impact statement shall provide sufficient data for the Vernon Traffic Authority and PZC to be able to access traffic conditions relative to the location, site design, and proposed activity.

Applicant shall submit twenty (20) copies of a map showing all information required in Zoning Regulations Section 14 Site Plans, and Section 17.3.2 Special Permits as may be required, and/or the Subdivision Regulations Section 4,5,7.

The map must be prepared by a licensed surveyor, if the application involves (a) exterior modification to the building or premises, such as off-street parking, which need dimensionally critical measurements to insure compliance with zoning or (b) the improvements involve disturbing more than one half acre of land.

Applicant shall submit the above-required information to the Town Planning Office accompanied by a check in the amount determined by the fees established by the State of Connecticut, Town of Vernon and/or the PZC with the application. The check, which is required as a filing fee, is to be payable to, "Town of Vernon". (See attached fee schedule).

THE APPLICATION WILL BE CONSIDERED INCOMPLETE IF ANY REQUIRED INFORMATION IS NOT SUBMITTED.

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 SECTIONS 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.

____ Other Special Permit(s). Cite ZR Section and describe activity:

____ Special Permit modifications (ZR Sec. 17.3.2.2). Cite ZR Section and describe activity.

____ **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)

____ Site specific change to the Aquifer Protection Overlay Zone Map (ZR Sec. 20.3.2)

See Zoning Regulations Section 22 for application fee schedules.

____ Dealer or Repairer License (location approval for DMV)

Per Connecticut General Statutes (CGS) Section 8-26: If an application submitted to the Planning & Zoning Commission (PZC) involves any activity or area regulated under the wetlands statutes, an application for this activity must be filed with the Inland Wetlands Commission (IWC) on or before the day the Planning & Zoning Commission (PZC) application is filed by the applicant. (IWR Sec. 3.11)

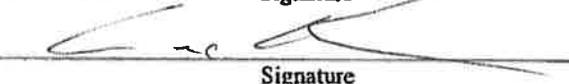
Per CGS Sec. 8-31: If the proposed activity is to take place within a watershed of a Water company, the applicant is required to file a copy of the application with the Water Company via certified mail within seven (7) days of the date of the application. (IWR Sec. 4.3.6).

The applicant, undersigned, has reviewed the "Town of Vernon Planning and Zoning Regulations and Inland Wetlands and Watercourses Regulations" and has prepared this application with complete and accurate information:

Property Owner, Applicant, or Applicant's Agent:



Signature



Signature

2-16-21
Date

2/16/21
Date

TO BE FILLED IN BY THE PLANNING DEPARTMENT

Date Application Submitted _____

Date Application Received by Commission _____

PZC File: _____

GARDNER & PETERSON ASSOCIATES, LLC

PROFESSIONAL ENGINEERS • LAND SURVEYORS

178 HARTFORD TURNPIKE
TOLLAND, CONNECTICUT 06084

KENNETH R. PETERSON, L.S.
ERIC R. PETERSON, P.E., L.S.
MARK A. PETERSON, P.E.

TELEPHONE: (860) 871-0808

info@GardnerPeterson.com
www.GardnerPeterson.com

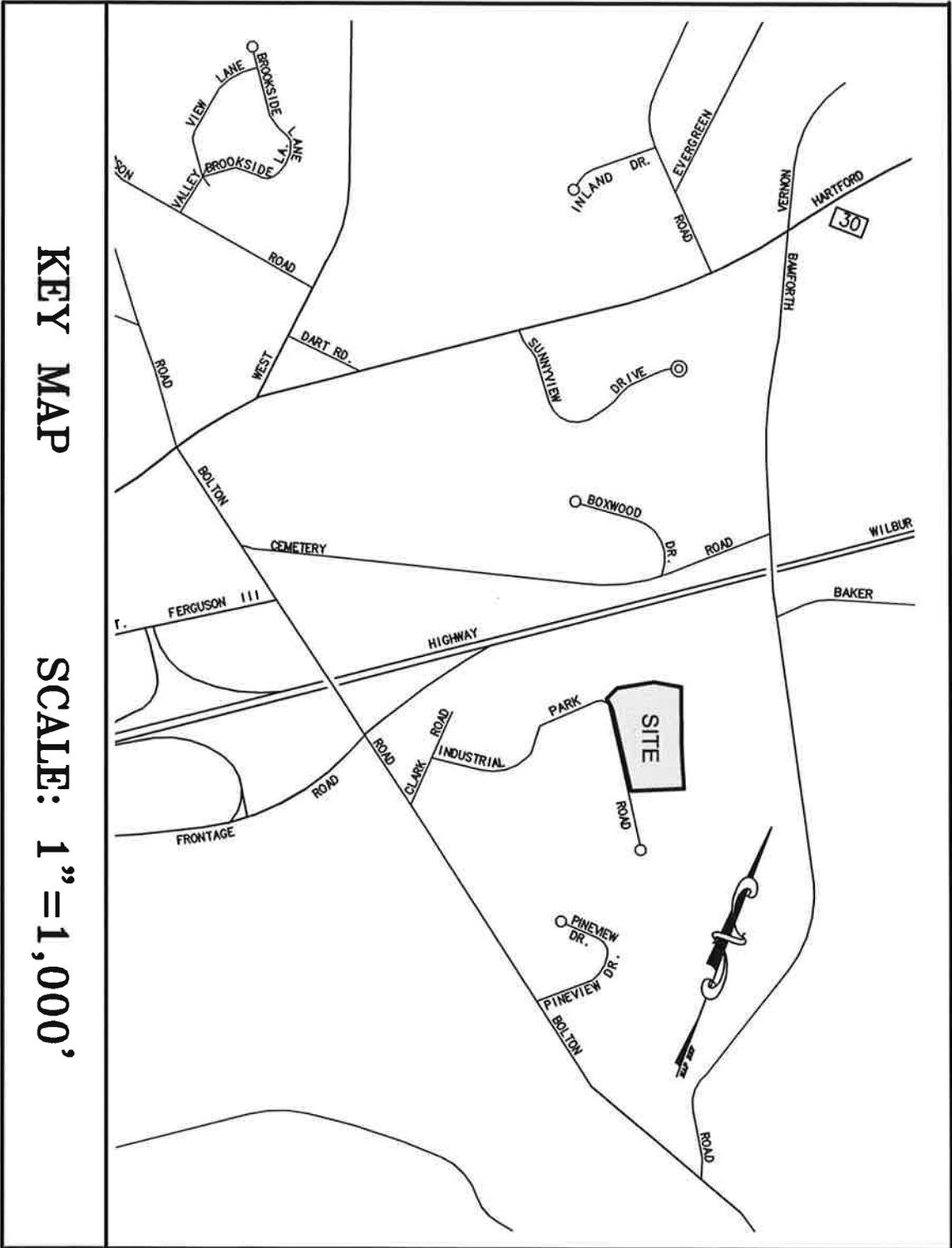
Project Narrative:

Applicant: RTT, LLC

Location: 77 Industrial Park Drive

RTT, LLC operates out of the northerly end of the existing industrial building located at 77 Industrial Park Drive. Their business contracts with local law enforcement to tow vehicles and store them temporarily within the building. The applicant is requesting a special permit for an automotive repair shop which will allow them to obtain a repair license through the Department of Motor Vehicles.

Industrial Park Drive is 28 foot wide road with a permanent cul-de-sac. The radii entering the site is more than adequate to handle the towing of vehicles and the size of the tenant space will determine the number of vehicles that can be stored inside.



KEY MAP

SCALE: 1"=1,000'

Return to:
Hinkley, Allen & Snyder, LLP
20 Church St., 18th Floor
Hartford, CT 06103
Attn: Jorie T. Andrews, Esq.

STATUTORY FORM WARRANTY DEED

KNOW YE, THAT, THE MEL-PET REALTY COMPANY, a general partnership with its principal place of business in the Town of Rocky Hill, County of Hartford and State of Connecticut, in consideration of the sum of **TEN DOLLARS and NO/100 (\$10.00) and other valuable consideration**, does give, grant, bargain and confirm unto **INDUSTRIAL PROPERTY GROUP, LLC**, a Connecticut limited liability company with its principal place of business in the Town of Vernon, County of Tolland and State of Connecticut with **WARRANTY COVENANTS**

A certain piece or parcel of land more particularly described on Schedule A attached hereto, and known as 77 Industrial Park Road, Vernon, Connecticut.

Being the same premises conveyed to the grantor herein by Deed dated February 15, 1995 and recorded February 16, 1995 in Volume 1009 at Page 175 of the Vernon Land Records.

Said premises are conveyed subject to:

1. Any and all provisions of any ordinance, municipal regulation, public or private law; any state of facts an accurate survey or personal inspection of the property might reveal; provided that none of the of the above interfere with the present location of any building now located on the property, prevent the present use of the property, or render title to the property unmarketable.
2. Taxes due the Town of Vernon on the List of October 1, 2016 and thereafter (first half paid), which taxes the grantee herein assumes and agrees to pay as part consideration for this deed.

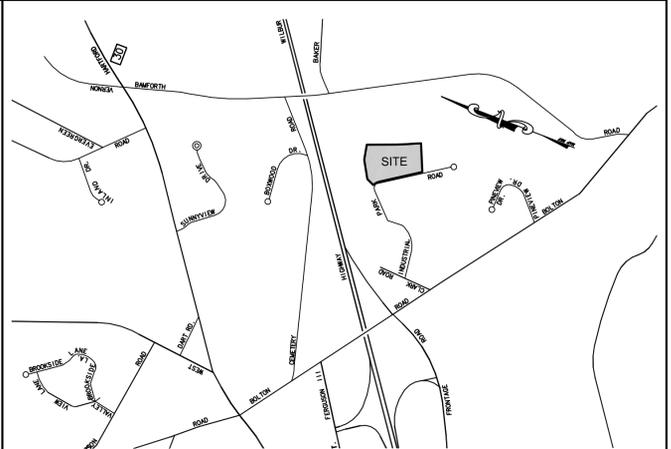
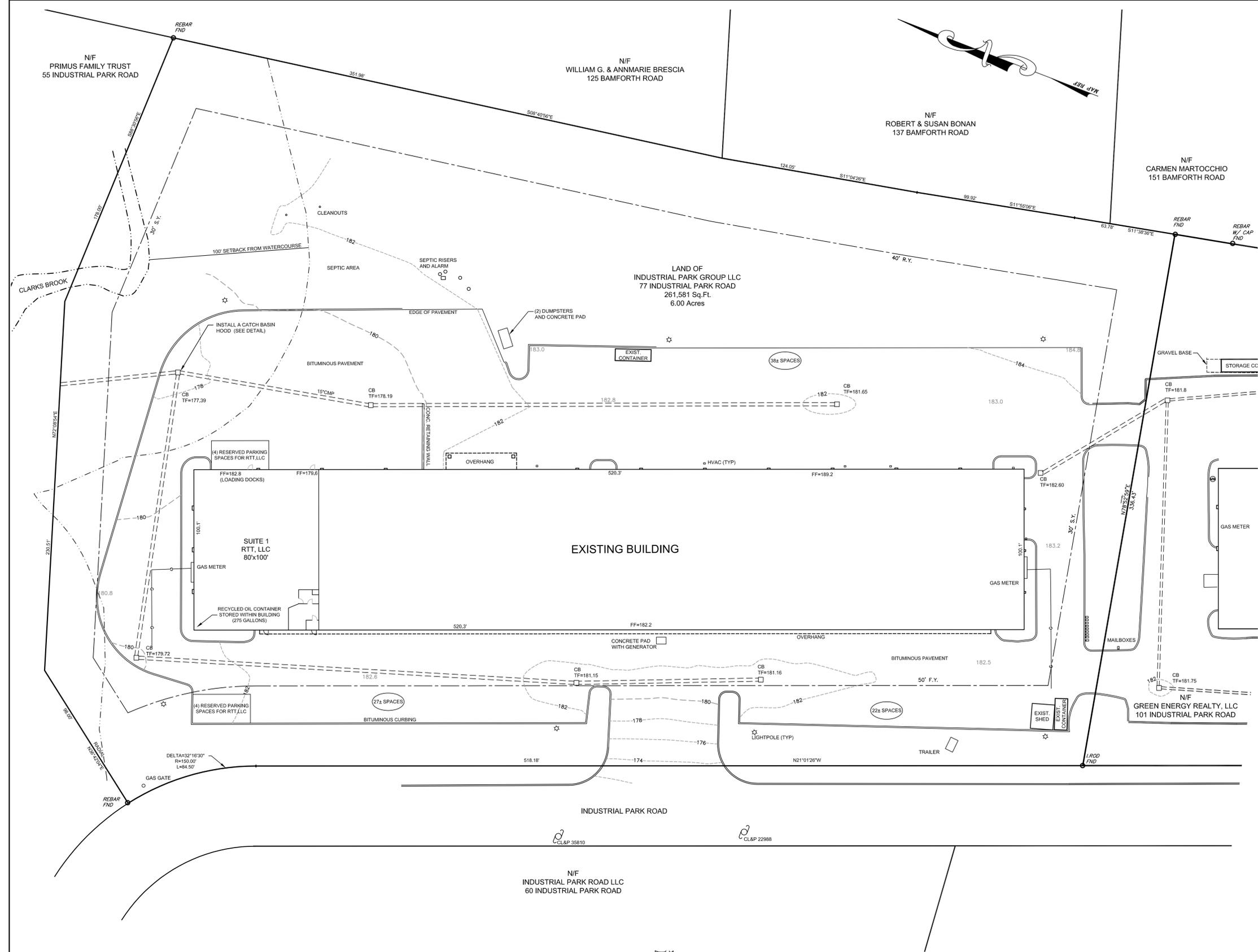
CONVEYANCE TAX RECEIVED
STATE \$ 16000.00
TOWN \$ 3200.00
Bernice K. Dixon
TOWN CLERK OF VERNON

Property Description

A certain piece or parcel of land with the buildings and improvements thereon, situated in the Town of Vernon, County of Tolland and State of Connecticut, known as V.I.P. Building No. 1, Vernon Industrial Park, and shown on a certain map or plan entitled "David J. Webster Industrial Park Plan of Development Site Plan, Vernon Industrial Mall Vernon, Conn. Scale 1" = 40' Date 11-8-72 6.00+ acres Russell and Dawson Engineering & Architecture", which map is on file in the Vernon Town Clerk's office, and being more particularly bounded and described as follows:

BEGINNING at a point which is the Southwesterly corner of the premises herein described and is N 2° 14' 35" E, a distance of One Hundred Thirty-One and 48/100ths (131.48') feet from an iron pin set in the Southeastery corner of land now or formerly of Alca, Inc.; the line runs thence generally Northwesterly parallel and Fifty (50') feet generally Easterly from the generally Easterly line of land now or formerly of Alca, Inc., a distance of Five Hundred Eighteen and 18/100ths (518.18') feet to a point; thence generally Northwesterly along a curve to the left having a radius of One Hundred Fifty (150') feet, a distance of Eighty-Four and 50/100ths (84.50') feet to a point; thence generally Northeasterly along a line radial to the arc of said curve, a distance of Ninety-Eight (98') feet to a point, thence generally Southeasterly by interior angle of 44° 33' 10", a distance of Two Hundred Thirty and 51/100ths (230.51') feet to a point; thence generally Southeasterly by interior angle of 160° 39' 50", a distance of One Hundred Seventy-Eight (178') feet to a point, the last three courses being along land now or formerly of the Town of Vernon; thence generally southerly by interior angle of 100° 10' 0" along land now or formerly of Maxwell Belding, a distance of Three Hundred Fifty-Two (352') feet to a stake; thence continuing generally southerly by interior angle of 182° 23' 30" along land of said Belding, a distance of One Hundred Twenty-Four and 5/100ths (124.05') feet to an iron pin; thence continuing generally southerly by interior angle of 180° 50' 40" along land of said Belding, a distance of Ninety-Nine and 92/100ths (99.92') feet to an iron pin; thence continuing generally southerly by interior angle of 179° 43' 30", a distance of Sixty-Three and 78/100ths (63.78') feet to a point; thence generally Westerly by interior angle of 89° 28' 25" along land now or formerly of the Town of Vernon, a distance of Three Hundred Thirty-Six and 43/100ths (335.43') feet to the point and place of beginning, the first and last line forming an interior angle of 99° 54' 25".

RECORDED IN
VERNON LAND RECORDS
Bernice K. Dixon
VERNON TOWN CLERK
DN Sep 01, 2017 AT 11:08A



KEY MAP SCALE: 1"=1,000'

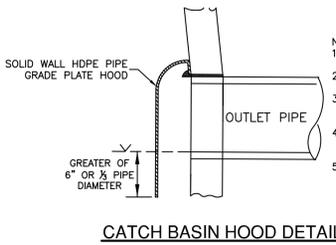
- NOTES:
- THIS SURVEY AND MAP HAVE BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTIONS 20-300b-1 THROUGH 20-300b-20 "MINIMUM STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT". THIS IS AN IMPROVEMENT LOCATION SURVEY AND A DEPENDANT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS A-2 AND TOPOGRAPHIC ACCURACY CLASS T-2.
 - BEARINGS AND ELEVATIONS DEPICTED ON THIS PLAN ARE BASED UPON THOSE DEPICTED ON THE PLAN REFERENCED IN NOTE 3.B.
 - REFERENCE IS MADE TO THE FOLLOWING MAPS:
 - A. "PLAN OF PROPERTY OF THE MEL-PET REALTY COMPANY VERNON, CONNECTICUT BY: ALFRED E. SCHINDLER SCALE: 1"=40', DATE: 08/29/96 JOB NO. 939-1R"
 - B. "IMPROVEMENT LOCATION SURVEY MODIFICATION TO SITE PLAN LAND OF GREEN ENERGY REALTY, LLC 101 INDUSTRIAL PARK ROAD VERNON, CONNECTICUT BY: GARDNER & PETERSON ASSOCIATES, LLC DATE: 06-04-2020, MAP NO 8649A."
 - THIS PARCEL AND THE ADJUTING PARCELS TO THE NORTH, SOUTH AND WEST ARE LOCATED IN THE INDUSTRIAL ZONE. THE ADJUTING PARCELS TO THE EAST ARE LOCATED IN THE R-27 ZONE.
 - THIS PARCEL IS SERVED BY PUBLIC WATER AND ON-SITE SEPTIC SYSTEM.
 - THIS PARCEL IS LOCATED ENTIRELY WITHIN THE STRATIFIED DRIFT AQUIFER AND PRIMARY RECHARGE AREA OVERLAY ZONE AS DEPICTED ON "UNCONSOLIDATED AQUIFERS, AQUIFER MANAGEMENT STUDY, TOWN OF VERNON, CT AUGUST 1992"
 - THIS PARCEL IS LOCATED IN FLOOD ZONE X (OUTSIDE THE 500 YEAR FLOOD) AS DEPICTED ON FIRM FLOOD INSURANCE RATE MAP PANEL NO. 090131 0005 C, DATED AUGUST 9, 1999 TOWN OF VERNON, CT
 - THE INLAND WETLANDS ON THIS PARCEL ARE AS DEPICTED ON THE TOWN OF VERNON INLAND WETLANDS REDESIGNATION MAP AS CREATED BY THE TOWN OF VERNON GIS DEPARTMENT 12/31/15.
 - UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING AND OTHER DATA SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES, GOVERNMENTAL AGENCIES AND/OR OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO GARDNER & PETERSON ASSOCIATES, LLC. THE EXISTENCE, SIZE AND LOCATION OF ALL SUCH FEATURES MUST BE DETERMINED AND VERIFIED IN THE FIELD BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.
 - CURB LINES ARE APPROXIMATE IN PLACES AS SURVEY WAS PERFORMED AFTER SIGNIFICANT SNOW STORM.
 - THE PARKING LOT IS NOT STRIPED.
 - CLARKS BROOK IS BASED ON AVAILABLE MAPPING FROM THE TOWN OF VERNON.
 - A SPILL PREVENTION KIT SHALL BE STORED WITHIN SUITE #1.

LEGEND

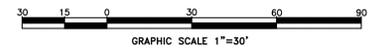
—	PROPERTY LINE
○	IRON PIPE/PIN FOUND
- - -	ZONING SETBACK
⊕	UTILITY POLE
—○—	OVERHEAD WIRES
+	SIGN
—○—	ELEVATION CONTOUR
—○—	EXISTING ELEVATION
—○—	EX. GAS SERVICE PAIN
○	EXISTING BOLLARD
⊕	EXISTING MONITORING WELL
□	EXISTING CATCH BASIN'S
—	EXISTING BITUMINOUS CURB
—	EXISTING EDGE PAVEMENT
—	WATERCOURSE PER TOWN MAPPING

ZONING TABLE:

INDUSTRIAL ZONE (I)	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	40,000 SQ.FT.	261,581 SQ. FT.	NO CHANGE
MINIMUM LOT WIDTH	150 FEET	602.68 FEET	NO CHANGE
MINIMUM FRONT YARD	50 FEET	85 FEET	NO CHANGE
MINIMUM REAR YARD	40 FEET	80 FEET	NO CHANGE
MINIMUM SIDE YARD	30 FEET	50 FEET	NO CHANGE
MINIMUM FLOOR AREA	5% LAND AREA = 2,407 SQ.FT.	52,082 SQ.FT.	NO CHANGE
BUILDING HEIGHT	SPECIAL PERMIT FOR > 40 FEET OR 3 STORIES	1 STORY	NO CHANGE
OUTSIDE DISPLAY	SPECIAL PERMIT FOR > 10% GFA OR 4,000 S.F.	NONE	NO CHANGE
PARKING	PARKING SPACES: 1 SPACE PER 2 EMPLOYEES (12.1.12) 20 INDUSTRIAL SPACES 2 EMPLOYEES PER OFFICE 40 PEOPLE - 20 SPACES REQUIRED	87± SPACES (NOT STRIPED)	NO CHANGE



- NOTES:
- HOOD SHALL BE E.J. PRESCOTT, INC. HOPE CATCH BASIN HOOD OR EQUAL.
 - HOOD SHALL BE FABRICATED TO FIT SHAPE OF THE STRUCTURE.
 - HOOD SHALL BE SEALED TO THE STRUCTURE WITH AN OIL RESISTANT FOAM GASKET.
 - VENT HOLES SHALL BE INSTALLED ON THE TOP OF THE HOOD TO PROVIDE AIR FLOW INTO PIPE.
 - HOOD SHALL BE INSTALLED TO THE STRUCTURE WITH STAINLESS STEEL ANCHOR STUDS AND NUTS AS ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.



I HEREBY DECLARE THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

ERIC R. PETERSON
L.S. 23430
REGISTRATION NO.

IMPROVEMENT LOCATION SURVEY

SITE PLAN
LAND OF
INDUSTRIAL PARK GROUP LLC
77 INDUSTRIAL PARK ROAD
VERNON, CONNECTICUT
GARDNER & PETERSON ASSOCIATES, LLC
178 HARTFORD TURNPIKE
TOLLAND, CONNECTICUT

REVISIONS:
02-24-21 STAFF COMMENTS

BY	SCALE	DATE	SHEET NO.	MAP NO.
M.A.P.	1"=30'	02-01-2021	1 OF 1	10940A

PROFESSIONAL ENGINEERS LAND SURVEYORS

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-2021-04, 77 Industrial Park Rd. Auto Repair Special Permit

DATE: March 4, 2021

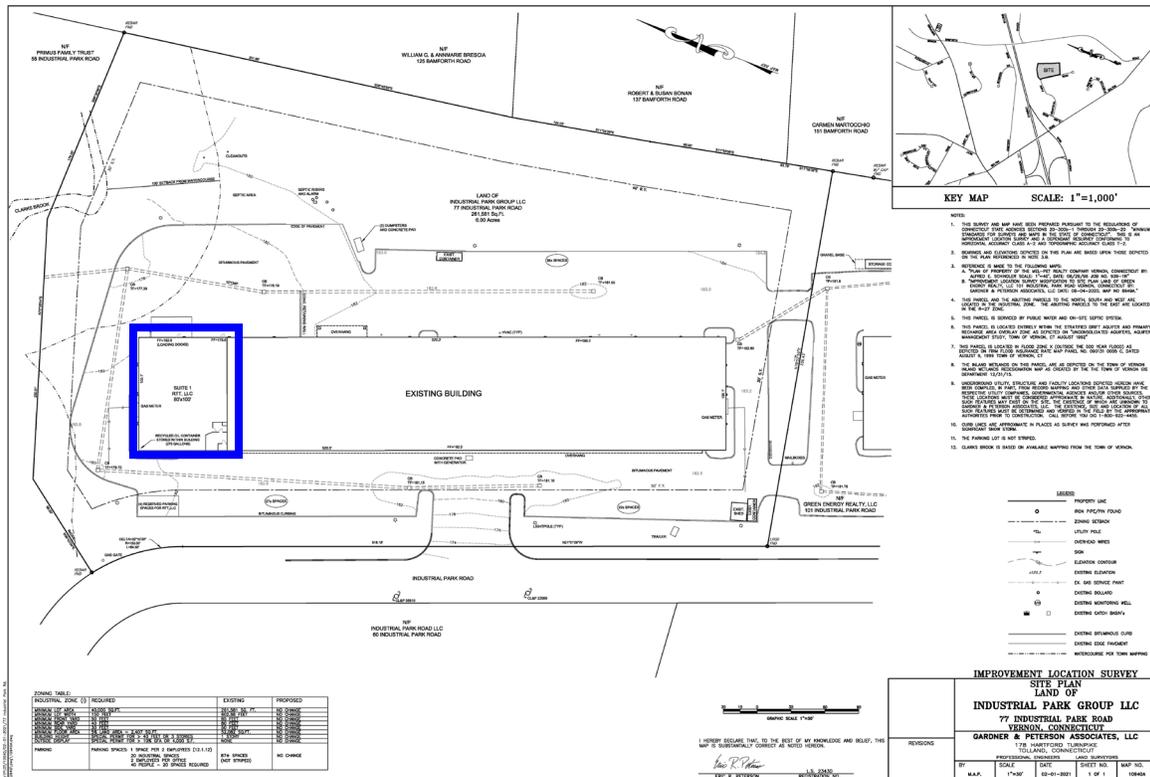
Request and Background



Ernesto Aulet, owner of RTT, LLC Towing (“Applicant”) requests a Special Permit in order to allow an automotive repair shop 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 4.10.4.4, automotive repair is permitted upon Special Permit review and approval and upon a finding that the applicable standards of

Section 17 are met.

The Applicant owns a towing company and plans to occupy an approximately 8,000 s.f. tenant space at the westernmost end of the in-line industrial building. CT State DMV requires an automotive repair approval from the local jurisdictions for towing operators. For this project, the Applicant has stated that all business activities will take place inside the facility and there will be no outdoor storage of towed vehicles or vehicles under repair. A draft condition, to this effect, is offered at the end of the report.



Site Plan-77 Industrial Park, Suite 1

Special Permit Review

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

The Applicant requests approval for automotive repair in conjunction with a Towing operation within an 8,000 s.f. indoor-only business facility. The approval is typically required of businesses desiring State DMV approval for the towing operation. The Special permit will allow some auto repair on site as well as the towing operation. Staff recommends that any towing or repair functions take place inside the suite and that NO outdoor activity such as repair or vehicle storage, be permitted.

There are no identified outstanding issues; the applicant agrees to the offered conditions of approval.

Draft Motions

A. I move that the Planning and Zoning Commission Approve PZ-2021-04, a special permit automotive repair shop 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. All towing and repair functions shall take place inside the +-8,000 sf area defined as Suite 1 of 77 Industrial Park Drive, as shown on the Site plan dated 2-24-21, prepared by Gardner & Peterson. The project shall be developed in substantial conformance with the referenced Site Plan, including all notes.
2. No outdoor activity is permitted. No towed vehicles, stored vehicles, or vehicles under repair are permitted outside of the facility. There shall be no outdoor storage area.

OR

B. I move an alternate motion

APPLICATION REVIEW COMMENTS

FROM: amarchese@vernon-ct.gov

TO: _____

DATE: 02/18/2021

APPLICANT: INDUSTRIAL PROPERTY GROUP LLC

PROJECT: Industrial Park Group LLC

LOCATION: 77 INDUSTRIAL PARK RD

My comments in regard to the application submitted to the Inland Wetland Commission (IWC) and/or Planning & Zoning Commission (PZC) are:

_____ NO COMMENT

_____ COMMENTS ATTACHED

_____ PLEASE NOTE THE FOLLOWING COMMENTS:

I believe the special permit for the use shall only be approved for the area the the tenant leases and not be permitted for the whole property. Also unlicensed and junk vehicles should be conditioned on the approval for inside building storage only, since there is not a designated area proposed for this activity.

SIGNATURE: _____

DATE: _____

APPLICATION REVIEW COMMENTS

FROM: cperry@vernon-ct.gov

TO: _____

DATE: 02/16/2021

APPLICANT: INDUSTRIAL PROPERTY GROUP LLC

PROJECT: Industrial Park Group LLC

LOCATION: 77 INDUSTRIAL PARK RD

My comments in regard to the application submitted to the Inland Wetland Commission (IWC) and/or Planning & Zoning Commission (PZC) are:

_____ NO COMMENT

_____ COMMENTS ATTACHED

_____ PLEASE NOTE THE FOLLOWING COMMENTS:

I think requiring the installation of a catch basin hood in the last catch basin prior to the outlet at the nearby stream would be beneficial due to the potential fluid leaks from damaged automobiles.

SIGNATURE: _____

DATE: _____

APPLICATION REVIEW COMMENTS

FROM: dsmith@vernon-ct.gov

TO: _____

DATE: 02/18/2021

APPLICANT: INDUSTRIAL PROPERTY GROUP LLC

PROJECT: Industrial Park Group LLC

LOCATION: 77 INDUSTRIAL PARK RD

My comments in regard to the application submitted to the Inland Wetland Commission (IWC) and/or Planning & Zoning Commission (PZC) are:

_____ NO COMMENT

_____ COMMENTS ATTACHED

_____ PLEASE NOTE THE FOLLOWING COMMENTS:

It appears that all physical changes to accommodate this proposal will be interior to the building, hence no improvements to the site are proposed. I recommend that given the nature of this business, the existing catchbasin located to the rear of the building be modified to provide a 'hood' and that the operator provide a 'spill kit' within the building should a discharge of vehicle fluids occur.

SIGNATURE: _____

DATE: _____

Other Business

A GUIDE TO PLANNING & ZONING COMMISSION MEETINGS
TOWN OF VERNON
DRAFT February 25, 2021

Meeting Locations, Dates, and Times

PZC regular meetings are generally held on the first and third Thursday of every month at 7:30 p.m. in the Council Chambers on the third floor of Town Hall at 14 Park Place or through the virtual ZOOM application (due to Covid-19), unless there is a conflict, in which case an alternative date and/or location of the meeting will be noted on the meeting agenda. The annual schedule of meetings for the following year is set at the November meeting and posted here.

Order of Meetings

The PZC operates under Robert’s Rules of Order for conducting and maintaining order of meetings. At the Chair’s discretion, the rules of order can be relaxed or strictly adhered to as needed, such as when formally voting on an application.

Meeting Notice/Agendas

The PZC meeting agendas serve as public notice of a pending meeting and establish the order of business to be conducted during a meeting. Agendas for PZC meetings are posted on the Town’s website and filed in the Town Clerk’s Office.

Call to Order and Roll Call

Regular meetings open promptly at 7:30 p.m. with The Chair calling the meeting to order and asking for a roll call of commissioner’s present.

Agenda Adoption

The Commission will adopt the agenda for the meetings business and may add additional items, typically under “Other Business” by vote.

Minutes

The PZC reviews and approves the draft minutes of the previous meeting. The minutes are a written summary of a meeting, including attendance, a brief synopsis of each application, and the actions taken during the meeting. Minutes are not intended to be a verbatim transcript of a meeting and will not reflect discussions held during an executive session. In accordance with CGS Chapter 14 Section 1-225, also known as the Freedom of Information Act, draft minutes are prepared within seven days of a regular meeting or within seven business days of a

special meeting, and are filed in the Town Clerk's Office as well as posted online here. Approved minutes are filed in the Town Clerk's Office and posted online here.

New Applications for Receipt

Completed submitted applications, under CGS must be received by the PZC no later than the next regularly scheduled meeting. At this time, the PZC will acknowledge receipt of all applications that require action and/or public hearings and schedule them for an upcoming meeting date. The complexity of any particular application as well as agenda availability (how busy the upcoming agendas are) play a role in scheduling.

Public Hearings and Action on Applications

The Planning and Zoning Commission review district zone changes, zoning text amendments, site plans, special permits, and subdivisions, among primary responsibilities. If a public Hearing or review and Action on an item has been continued from a previous meeting, that item will be placed first on the agenda in this section.

Public Hearings

When the PZC schedules an application for a public hearing, the hearing typically follows this process: The chair will open the public hearing portion of the meeting by asking the Town Planner to read the published legal notice.

Staff Input

The Chair will request input from the Town Planner and other town staff. The Town Planner may summarize the staff review of the application, noting any outstanding issues that have yet to be addressed by the applicant; put the application into perspective with respect to planning policies and regulations; suggest conditions or modifications to mitigate concerns raised during the staff review or hearing; and recommend for approval, denial, or continuation of the public hearing to receive additional information, or may make no recommendation. The Town Planner or the PZC may call upon other town staff or professional consultants to provide the commission with information to corroborate or rebut testimony of the applicant or members of the public.

Applicant's Presentation

Applicants and/or their agents (attorneys, architects, civil engineers, traffic engineers, etc., hereafter referred to as "applicants") will address the PZC by presenting their proposal. During the applicant's presentation, the Chair may recognize commissioners or town staff so that they may ask questions of the applicant.

Public Comment

At the conclusion of the applicant's presentation and any further questions by commissioners or staff, the Chair will open the hearing to the public, citizens, residents and other interested parties.

The Chair will first invite all speakers in favor of the application to present their statements. The Chair will then ask for speakers in opposition. When the PZC has heard all speakers opposed to the application, the chair will invite comments from speakers who wish to speak neither for nor against the application.

All persons wishing to speak, including the applicant, must be recognized by the Chair. After being recognized, each speaker should give her/his name and address for the public record. Since public hearings are for the benefit of the PZC to hear public input, speakers should address the PZC and not the applicant or audience. All questions of the applicant or other speakers should be directed through the Chair, who may ask the applicant or other speakers to respond directly to a specific question or concern if he/she thinks that doing so will expedite the hearing. Otherwise, the questions will be answered by the applicant during rebuttal.

The Chair will provide an opportunity for every person to speak and may limit the time allowed to all public speakers equally, except that she/he may grant additional time to a speaker recognized as a spokesperson for a portion of the audience, or for expert witnesses or other agents employed by citizens presenting evidence in support or opposition to the application. The Chair may limit speakers to one appearance but may allow a second appearance or rebuttal after all other speakers have been heard. The Chair may limit the arguments of any speaker on the grounds that the remarks are beyond the scope of the hearing, or repetitious of previous testimony. To limit a pattern of repetitious testimony, the Chair may call for a show of hands among those in attendance to indicate concurrence with a statement made to the Planning & Zoning Commission (PZC) by a speaker.

Petitions

While petitions are welcome as evidence of broad opposition or support to an application, the PZC is generally free to weigh their value based on the merits of the information contained in the petition. However, CGS Section 8-3 mandates that when a protest is filed in the form of a petition at or before a public hearing against a proposed zone boundary change, and the petition is signed by the owners of 20 percent or more of the area of the lots included in the proposal, or by the owners of 20 percent or more of the area of the lots within 500 feet outside of the boundary, a

two-thirds or supermajority vote is required for approval. It is important to note that the signatures required to force a supermajority vote to approve a zone boundary change must be from the owners of 20 percent of the affected *area* or 20 percent of the *area* within 500 feet of the affected area, *not* the owners of 20 percent of the *lots* in the affected area or 20 percent of the *lots* within 500 feet of the affected area. These two groups are also mutually exclusive (e.g. the owners of 10% of the land within the affected area and the owners of 10% of the land within 500 feet of the affected area, or any combination equaling 20 percent, are not cumulatively sufficient to force a supermajority vote).

While there is no official protocol for petitions, the following recommendations are suggested: the top of each page of a petition should clearly identify the application or project that is the subject of the petition and contain a concise statement(s) as to why the undersigned favor or oppose the application. Signatures should be in ink and it is helpful to the PZC and town staff if they contain the printed name and address of the signatories and are individually numbered and/or tabulated at the bottom of each page. The printed names and addresses of signatories are critical for petitions in opposition to a zone boundary change, so that the PZC can verify whether the petition contains the necessary signatures to require a supermajority vote for approval. A photocopy should be kept by the petitioner, as the original must be entered into the public record.

Evidence

At any time up to the close of the public hearing, the PZC may receive letters, written statements, photographs, maps, charts, sketches, petitions, reports of other agencies or other tangible evidence, with their receipt noted on each item. The Planning Department will email all materials received one-week prior to a meeting to the PZC in their agenda packages, which affords their thorough review prior to the meeting. Subsequent materials may be included in an addendum to the agenda, which is delivered to the PZC via email. Depending on the number of correspondences, the Chair may poll the PZC to determine whether they have read any or all correspondences and forego reading them into the public record. Otherwise, the Secretary and/or another commissioner will read all correspondences and reports of other agencies into the public record.

All presentation materials used during a public hearing must remain with the PZC as evidence until after the appeal period for a decision has passed, or in the case of an appeal, after the appeal has been decided and can be returned upon request at that time. These materials are available for public inspection in the Planning Department during normal business hours.

Applicant Rebuttal

At the conclusion of public input, the Chair will ask the applicant to answer any remaining questions, make any final statements, and/or rebut any comments raised during the hearing. At the discretion of the Chair, rebuttal may also be heard from representatives of the opposition on new facts presented in the applicant's rebuttal. However, the applicant typically has the right of final rebuttal.

Recess or Withdrawal

The applicant may ask for a recess or withdraw an application at any time up to the close of the public hearing. If the 35-day time limit in CGS Section 8-7d will expire before the PZC can continue the hearing, the applicant may grant the Town Planning and Zoning Commission (PZC) up to an additional 35 days to complete the hearing.

At the conclusion of the applicant's closing statements, the Chair will ask the remaining commissioners if they are ready to close the public hearing. If the PZC has unanswered questions, needs additional information, has requested significant changes that they wish to review further, or the applicant has asked for a recess to address significant issues; the PZC may recess or continue the public hearing to another date, which may be a special meeting or the next regularly scheduled meeting if statutory time limits in CGS Section 8-7d allow. If necessary, the PZC can request an extension of time from the applicant to close the public hearing, which must close within 35 days of opening. When a recessed hearing is reopened and the same commissioners are not seated, alternate members may sit for the remainder of the hearing if they have been in attendance for the entire hearing or have familiarized themselves with the hearing record to date.

Closing a Hearing

If there is no reason to continue the hearing, the Chair will close the public hearing, ending any testimony by the applicant, the public and the staff. After the close of the hearing, the PZC cannot ask for clarification from the applicant or members of the public. However, the PZC may ask town staff for legal and procedural advice as well as for clarification of technical information already presented during the public hearing, but they cannot open a new line of questioning. Only seated members may participate once the public hearing is closed. The PZC will typically deliberate on the facts of an application immediately following the closing of each hearing unless they table their decision to a later date.

Hearing Decisions

In cases of permits and site plans, the PZC may table their decision, approve, approve with conditions, or disapprove an application with a simple majority vote of members present. In the case of subdivisions, resubdivisions, zone boundary changes, and text

amendments, the PZC may table their decision, approve, approve with modifications, or disapprove an application, also with a majority vote of all members of the PZC (4 Votes).

However, CGS Section 8-3 mandates that when a protest is filed in the form of a petition at or before the public hearing against a proposed zone boundary change, signed by the owners of 20 percent or more of the area of the lots included in the proposal or by the owners of 20 percent or more of the area of the lots within 500 feet in all directions, a two-thirds supermajority (5 Votes) is required for approval.

The Town Planning and Zoning Commission (PZC) typically votes on applications at the close of the public hearing but under CGS Section 8-7d, they have up to 65 days from the close of the hearing to act unless specifically extended by the applicant. Whether stated under deliberations or in the motion, reasons for decisions are recorded in the official minutes. Each commissioner has one vote and the vote of three seated members present at any meeting attended by a quorum of its members is necessary to decide any question, unless otherwise specified by law, charter, ordinance, or regulation (e.g. CGS Section 8-3).

The PZC is only required to take testimony offered during a public hearing into consideration and is not required to vote in accordance with the majority of those speaking for or against an application.

Only the Site Plan review process does not require a public notice/public hearing process. When no public hearing is required for review, the process follows similar to the above, except for the public portion. Staff, Applicant, evidence, and Commissioner question periods remain the same.

CGS Section 8-24 Referral Requests

CGS Section 8-24 referral requests, during which the Commission is presented with capital projects, such as buying, selling or leasing of land or buildings; constructing new public facilities; or making significant improvements to existing public facilities. The Commission weigh whether or not the public investment or action is consistent with the POCD and forwards their review and recommendation to the Town Council.

Executive Session

Executive sessions are closed to the public and any recording devices are turned off so that the PZC can discuss pending litigation, personnel issues, or other matters that are not subject to the Freedom of Information Act. No actions may be taken by the PZC during an executive session and upon ending an executive session, the PZC will resume recording of the meeting and will typically acknowledge that they took no action during the executive session.

Other Business/Discussion

Communications, a Planners report, and other items added under this heading are addressed at this time. The Town Planner may report on development activity in town, discuss regulation interpretation issues, suggest regulatory changes to address recent trends, and report on past or upcoming workshops of the PZC or other agencies.

Adjournment

Following Other Business, the PZC will call for a vote to adjourn the meeting. Under the PZC bylaws, meetings must adjourn by 10 p.m. unless extended by a majority vote of seated commissioners. All applicants are notified by the Chair that if their application is not reached on the agenda by 10 p.m. or is not completed by 10 p.m., the PZC may postpone, recess, or table the application as appropriate. After adjournment, the PZC cannot discuss pending applications with members of the public.