

TOWN OF VERNON
Planning & Zoning Commission (PZC)
Thursday, January 20, 2022, 7:30 PM
VIA Zoom

RECEIVED
VERNON TOWN CLERK
22 FEB -7 PM 12: 17

Zoom Meeting Information

<https://us02web.zoom.us/j/6149852850?pwd=NUZwVkEwWkRxS1EweC94cFNHVUxBdz09>

Meeting ID: 614 985 2850 **Passcode:** h72Vs7

By Phone: 646 876 9923

Meeting ID: 614 985 2850

Passcode: 786221

APPROVED 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, Iris Mullan, Mike Baum
- Alternate Member:
- Absent Members: Carl Bard
- Staff present: George McGregor, Town Planner and Shaun Gately, EDC
- Dave Smith, Town Engineer
- Recording secretary: Jill Rocco

2. **Administrative Actions/Requests**

2.1 Election of Officers 2022

Chairman Roland Klee asked the Commission for nominations.

Chair – Roland Klee, nominated by Robin Lockwood - accepted

Vice Chair – Joe Miller, nominated by Mike Mitchell – declined

Vice Chair – Mike Mitchell, nominated by Robin Lockwood – accepted

Secretary – Robin Lockwood, nominated by Roland Klee – accepted

Robin Lockwood **MOVED** to close the floor for nominations. Mike Mitchell seconded and the motion carried unanimously.

Robin Lockwood **MOVED** to accept the nomination slate as is. Mike Mitchell seconded and the motion carried unanimously.

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

Robin Lockwood **MOVED** to accept the Agenda as is. Mike Mitchell seconded and the motion carried unanimously.

2.3 Approval of the Minutes from the **December 16, 2021**

Robin Lockwood **MOVED** to **APPROVE** the minutes from December 16, 2021. Joe Miller seconded and the motion carried unanimously.

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

3.1 **PZ-2022-01, 26 Union St.** An Application of Amy Javarauckas for a Special Permit pursuant to Section 4.23.5.16 and Section 24.5.21 of the Zoning Regulations to allow a Tattoo Shop at 26 Union St. (Tax Map 23, Block 106, Parcel 15). The Parcel is zoned Downtown Business & Residential (DBR) and is in the Rockville Village Overlay District.

George McGregor, Town Planner, recommended a hearing date of February 3, 2022.

Robin Lockwood **MOVED to RECEIVE (PZ-2022-01, 26 Union St.)** An Application of Amy Javarauckas for a Special Permit pursuant to Section 4.23.5.16 and Section 24.5.21 of the Zoning Regulations to allow a Tattoo Shop at 26 Union St. (Tax Map 23, Block 106, Parcel 15). The Parcel is zoned Downtown Business & Residential (DBR) and is in the Rockville Village Overlay District. Joseph Miller seconded and the motion carried unanimously and place it on the February 3, 2022 agenda for Public Hearing.

3.2 **PZ-2022-02, 95 Hartford Tpke.** CT Golf Land LLC has requested modifications to an approved Site Plan of Development and special permits for site grading, new construction, additions, and other activities on property located at 95 Hartford Tpke. (Assessor ID: Map 1, Block 158, Parcel 00095).

George McGregor, Town Planner, recommended a hearing date of February 17, 2022.

Robin Lockwood **MOVED to RECEIVE (PZ-2022-02, 95 Hartford Tpke.)** CT Golf Land LLC has requested modifications to an approved Site Plan of Development and special permits for site grading, new construction, additions, and other activities on property located at 95 Hartford Tpke. (Assessor ID: Map 1, Block 158, Parcel 00095). Iris Mullan seconded and the motion carried unanimously and place it on the February 17, 2022 agenda for Public Hearing.

3.3 **PZ-2022-03, 57 Hartford Tpke.** An Application by Jerry Fornarelli for a modification to an approved site plan and special permits from Section 5 of the Zoning Regulations, in order to construct a deck addition, pavilion structure, and storage building at 57 Hartford Turnpike (Tax Map 01, Block 0158, Parcel 00057).

George McGregor, Town Planner, recommended a hearing date of February 17, 2022

Mike Mitchell **MOVED to RECEIVE (PZ-2022-03, 57 Hartford Tpke.)** An Application by Jerry Fornarelli for a modification to an approved site plan and special permits from Section 5 of the Zoning Regulations, in order to construct a deck addition, pavilion structure, and storage building at 57 Hartford Turnpike (Tax Map 01, Block 0158, Parcel 00057). Robin Lockwood seconded and the motion carried unanimously and place it on the February 17, 2022 agenda for Public Hearing.

3.4 **PZ-2022-04, 1230 Hartford Tpke.** An Application of Body Secrets Day Spa for a Special Permit pursuant to Section 4.9.4.22 of the Commercial Zoning Regulations to allow a non-independent massage area as accessory to a Day Spa, and personal service establishment. The property is located at 1230 Hartford Turnpike (Tax Map 43, Block 0068, Parcel 00036).

George McGregor, Town Planner, recommended a hearing date of February 3, 2022.

Robin Lockwood **MOVED** to **RECEIVE (PZ-2022-04, 1230 Hartford Tpke.)** An Application of Body Secrets Day Spa for a Special Permit pursuant to Section 4.9.4.22 of the Commercial Zoning Regulations to allow a non-independent massage area as accessory to a Day Spa, and personal service establishment. The property is located at 1230 Hartford Turnpike (Tax Map 43, Block 0068, Parcel 00036). Iris Mullan seconded and the motion carried unanimously and place it on the February 3, 2022 agenda for Public Hearing.

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

4.1 **PZ-2021-19, Village at Naek Road.** An Application of Rashid Hamid for a Site Plan and Special Permits to allow a +-70-unit multi-family development on multiple parcels located at 291 and 293 Talcottville Rd. (Assessor ID: Map 3 Block 4 Parcels 9A & 9E) and at 27, 32, 37, 38, and 46 Naek Rd. (Assessor ID: Map 3 Block 4 Parcels 008-8, 7,4, 6, 5). Specials Permits requested from the Planned Development Zone-Gerber Farm zoning district (PDZ) include Section 4.24.4.3.2 (multi-family units); 4.24.3.15.1 (more than 40 off street parking spaces); 4.24.4.3.15.2 (proposed structures within 200 feet of a residential structure); Section 4.24.4.3.15.3 (proposed parking within 200 feet of a residential structure); Section 4.24.4.3.15.4 (aggregate square footage in excess of 25,000 sq. ft.); Section 4.24.4.3.15.9 (a development having less than the required yards).

- George McGregor, Town Planner, explained the details of the application and read the Public Notice posted in the Journal Inquirer on January 8, 2022 & January 15, 2022.
- Chairman Roland Klee read the following teleconference rules into the record:
 1. Any member of the public who wishes to provide public comment may participate remotely via computer with a microphone and ZOOM link or via telephone call-in number
 2. We ask that all participants "MUTE" their phones and that the meeting organizer may mute participants if excessive noise or feedback interrupts the meeting.
 3. Speakers are encouraged to use the ZOOM Chat function to alert the host that they would like to speak.
 4. At the appropriate time, the Chairman will call for public comment. Speakers should unmute their phones by pressing *6 and then clearly identify their name and address.
 5. Speakers should direct their comments through the Chairman
 6. Please be patient.
- Greg McCracken, Attorney with Jacobs, Walker, Rice & Barry, LLC. 146 Main St. Manchester, CT. Spoke representing the applicant Rashid Hamid of The Rashid Hamid Family, LLP, 27 Naek Rd. Vernon, CT.
- Eric Peterson, Engineer with Gardner & Peterson Associates, LLC. 170 Hartford Tpke, Tolland, CT. spoke representing the applicant providing detailed maps and information.
- Charlie Baker, Traffic Engineer, spoke representing the applicant providing a detailed traffic study.
- Robert Stewart, Stewart Appraisal Services, 58 Hartford Tpke, Tolland, CT. spoke representing the applicant providing a detailed Fiscal Impact Analysis.
- Commission asked questions.
- Eric Peterson, Engineer – responded
- David Wagner, Architect – responded, gave detailed information on individual units and energy compliance.
- Gregory McCracken, Attorney gave closing comments regarding sewage, traffic, Hockanum Linear Trail, industrial opportunities, demographics, residential density, open space, amenities, landscaping & community space.

- Roland Klee, Chairman, opened the floor for questions/comments from the Commission.
- Commission asked questions regarding fire safety and dumpsters
- Eric Peterson, Engineer, responded.
- George McGregor, Town Planner, responded.
- Commission asked questions regarding walking trail and low-income housing.
- Eric Peterson, Engineer responded.
- Greg McCracken, Attorney, responded.
- Roland Klee, Chairman, opened the Public Hearing at 8:50 PM
- Polly Schafer, Fox Hill Dr., Vernon – spoke in favor of the application
- Amanda Warner, 155 West St. – spoke with comments in regards to trails and market rates
- George McGregor, Town Planner, responded.
- Mike Wendus, 91 Village St – spoke with comments in regards to low-income housing and house size.
- Nancy Steffens, 224 South St. – spoke with comments in regards to traffic, financial analysis and environmental issues
- Maryann Levesque, 183 Bolton Rd. – spoke in regards to traffic analysis and additional parking.
- Applicants entire team responded to all comments and concerns.
- Commission asked questions.
- Eric Peterson, Engineer, responded.
- Ann Letendre, 29 Gottier Dr., commented
- Eric Peterson, Engineer, responded.
- George McGregor, Town Planner, read the detailed conditions of approval.

Draft Conditions of Approvals
PZ 2021-19, Village at Naek Rd.
January 20, 2022
Revised 6:00 pm

1. The property shall be developed in substantial conformance with the Site Plan Set entitled “Site Plan of Development-Village at Naek Road” (Sheets 1-14) dated May 21, 2021, revised January 17, 2022, prepared by Gardner & Peterson Associates, LLC.
2. The property shall be developed in substantial conformance to the Architectural Plans for the “Village at Naek Road”, dated September 24, 2021, prepared by Schadler Selnau Associates.
3. All parcels: 291 and 293 Talcottville Rd. (Assessor ID: Map 3 Block 4 Parcels 9A & 9E) and at 27, 32, 37, 38, and 46 Naek Rd. (Assessor ID: Map 3 Block 4 Parcels 008-8, 7,4, 6, 5) shall be combined and recorded prior to the issuance of the first building permit for the project.
4. Prior to the Issuance of the Certificate of Occupancy for the last unit in Phase II, the developer shall construct a sidewalk along the north side of Naek Road from the dedicated public parking area serving the trail to the intersection of Talcottville Road.
5. The developer shall draft and record an easement related to the Conservation Area (Vernal Pool), Conservation Area (Trail), and Parking Area in a form acceptable to the Town of Vernon.

6. Prior to construction of the Trail segment and public parking area, the developer shall submit construction drawings for the trail and the public parking area (both described in the easement set forth in Condition #5) to the Town for review and approval.
7. Prior to the issuance of an Occupancy permit for the 55th residential unit, the full +-2,000-foot segment of the Hockanum River Linear Park Trail shall be substantially constructed and complete, in manner acceptable to the Town of Vernon using stone dust materials, two boardwalk crossing sections, and sections of at-grade boardwalk, as shown on the site plan referenced in Condition #1.
8. Prior to the issuance of an Occupancy permit for the 55th residential unit, the public parking area depicted on the site plan at the terminus of Naek Rd. shall be substantially constructed and complete, in manner acceptable to the Town of Vernon.
9. Prior to the issuance of an Occupancy permit for any unit in Phase I, the developer shall construct a secondary fire access road, acceptable to the Fire Marshal. Prior to the issuance of an Occupancy permit for the 70th unit, the developer shall remove the existing driveway curb-cut @ Talcottville Rd. in a manner acceptable to the Town Engineer.
10. Other standard administrative conditions, stipulations, related to bonding, hold harmless statements, and other administrative items shall apply to this approval.

- Dave Smith, Town Engineer, responded regarding sidewalks.
- George McGregor, Town Planner, commented that it is consistent with the POCD.
- Roland Klee, Chairman, asked to CLOSE the Public Hearing at 9:30 PM.
- Robin Lockwood, MOVED to CLOSE the Public Hearing. Mike Mitchell, seconded and the motion carried unanimously.

Robin Lockwood **MOVED**, The Planning & Zoning Commission **APPROVE** PZ-2021-19, Village at Naek Road, based upon a finding that the application meets the site plan requirements of Section 14, that the special permits requested are consistent with the criteria found Section 17.3.1., and the reduction in yards is justified by the inclusion of the proposed community amenities offered by the applicant. Approval is contingent upon the Conditions of Approval dated January 20, 2022. It is **FURTHER MOVED**, that the public improvements included in PZ-2021-19 have been reviewed under the provisions of State Statute Section 8-24 and are found to be consistent with the Plan of Conservation and Development. Mike Mitchell seconded and the motion carried with 5 yays, and 2 abstaining.

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

5.1 36 Cubles St.

George McGregor, Town Planner, gave details on 8-24 referral 36 Cubles St. to sell and/or disposition of the property.

Discussion ensued.

Mike Baum, **MOVED** the disposition of the property at 36 Cubles St. is consistent with POCD. Robin Lockwood seconded and the motion carried with 5 yays, and 2 abstaining.

6. **Other Business/Discussion**

6.1 Affordable Housing Plan Introduction

George McGregor, Town Planner, gave details regarding Affordable Housing Plan and the Deadline of July 2022.

7. **Adjournment**

Mike Mitchell MOVED to ADJOURN at 9:45 PM. Robin Lockwood seconded and the motion carried unanimously.



Jill Rocco
Recording Secretary