TOWN OF VERNON **Planning & Zoning Commission (PZC)** Meeting Notice & Agenda **Thursday, May 05, 2022, 7:30 PM** Town Council Chambers 3rd Floor 14 Park Place Vernon, CT 06066

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 #6 "Other Business" requires Commission vote.
- 2.2 Approval of the Minutes from the **April 21, 2022**

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

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

4.1 PZ-2022-05, 501 Talcottville Rd. (Continued) An Application of Vernon Development LLC for a Site Plan and Special Permits to develop a 10,000 sq.ft. day care center at 501 Talcottville Rd. (Tax Map 09, Block 007, Parcel 0001D). Special permits requested include Section 4.9.4.15.1 (more than 40 parking spaces); Section 4.9.4.15.2 (structure within 200 feet of a residence); Section 4.9.4.15.3 (parking within 100 feet of a residence). The property is zoned Commercial.

4.2 PZ-2022-06, 501 Talcottville Rd. (Continued) An Application of 501 Talcottville Rd. LLC to permit the re-subdivision of land into one additional parcel, located at 501 Talcottville Rd. (Tax Map 09, Block 0007, Parcel 0001D). The property is zoned Commercial.

4.3 PZ 2022-10, 25 Park St.-Retail Cannabis (withdrawn) An Application of Nick Tamborrino, SFC CT LLC, requesting a special permit pursuant to Section 4.26.5.26 (HD-DBR District) and Section 17 of the Vernon Zoning Regulations to permit allow a retail cannabis establishment at 25 Park St. (Tax Map 40, Lot 0107, Parcel 00005).

5. **Referrals, If any**

6. Other Business/Discussion

6.1 Vernon Zoning Regulations, Interpretation of "Personal Convenience Services" and uses in the Commercial District.

6.2 2022 Affordable Housing Plan Initial Draft Transmittal

6.3 Notification Letter: the Planning Department received a notification letter from the Town of Manchester regarding a proposed text for their zoning regulation amendment application which was submitted to their Planning Department. The application requests a special exception trigger for uses that require 7+ loading docks or bays in all zones that already have a special exception trigger based on

lot size & parking space quantity (CUD, IND, and Business zones). It was filled at Manchester's Planning Department and is available for public review until June 6, 2022.

7. Public Comments Received

8. Adjournment

Roland Klee, Chair Planning & Zoning Commission

DRAFT MINUTES

TOWN OF VERNON Planning & Zoning Commission (PZC) Thursday, April 21, 2022, 7:30 PM 14 Park Place Vernon, CT 06066

DRAFT MINUTES

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

- Regular members present: Roland Klee, Carl Bard, Mike Baum, Robin Lockwood, Joseph Miller, Mike Mitchell and Iris Mullan
- Alternate Member:
- Absent Members: Alternate Yelena Damsky
- Staff present: Shaun Gately, Interim Director, Luciana Granstrand, Planning Specialist
- Recording secretary: Jill Rocco

2. Administrative Actions/Requests

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

Robin Lockwood **MOVED** to **ADOPT** the agenda. Joseph Miller seconded and the motion carried unanimously.

2.2 Approval of the Minutes from the April 7, 2022

Robin Lockwood **MOVED** to **APPROVE** the minutes from April 7, 2022. Joseph Miller seconded and the motion carried unanimously.

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

NONE

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

4.1 PZ 2022-08, 371 & 373 Talcottville Rd. (Continued) An Application of Allan Borghesi for a Zone Change from Special Development Zone-Economic Development (SED) to Commercial for a portion of two parcels of property located at 371 (+-1.69 acres) & 373 (+-.10) Talcottville Rd. (Tax Maps 04, Block 0004, Parcel 0006B & 0005A).

- Public Hearing continued from April 7, 2022.
- Shaun Gately, Interim Director, explained that due to a clerical error the applicant was not at the April 7, 2022 meeting.
- Roland Klee, Chairman, read the rules of Public Hearing.
- Allan Borghesi, Borghesi Building & Engineering Co, Inc., 2155 East Main St, Torrington, CT, spoke in detail in regards to the application
- Commission asked questions.
- Applicant Allan Borghesi responded.
- Chair Roland Klee opened the Public Hearing at 7:39 PM.
- No one spoke in favor of
- No one spoke in opposition

Mike Mitchell **MOVED** to **CLOSE** the Public Hearing at 7:40 PM. Robin Lockwood seconded and the motion carried unanimously.

Robin Lockwood **MOVED** the Planning and Zoning Commission **APPROVE PZ-2022-08** An Application for a Zone Change from Special Development Zone-Economic Development (SED) to Commercial for a portion of two parcels of property located at 371 (+-1.69 acres) & 373 (+-.10) Talcottville Rd. (Tax Maps 04, Block 0004, Parcel 0006B & 0005A). Mike Mitchell seconded and the motion carried unanimously.

4.2 PZ 2022-09, 77 Industrial Park Rd.-Commercial Recreation. An Application of Jason Gonzalez, requesting a special permit pursuant to Section 4.10.4.1, to allow a commercial recreation use (martial arts studio) at 77 Industrial Park Rd. (Tax Map 28, Block 0133, Parcel 0005H).

- Shaun Gately, Interim Director, read the Public Notice published in the Journal Inquirer on April 9, 2022 and April 16, 2022
- Applicant Jason Gonzalez, 11 Franklin Street, Manchester, CT spoke in regards to the application.
- Shaun Gately, Interim Director, read staff reports to Commission.
- Commission asked questions in regards to parking and location.
- Applicant responded.
- Chair Roland Klee opened the Public Hearing at 7:47 PM.
- No one spoke in favor of
- No one spoke in opposition

Mike Mitchell MOVED to CLOSE the Public Hearing at 7:47 PM. Joseph Miller seconded and the motion carried unanimously.

Mike Mitchell **MOVED** that the Planning and Zoning Commission **APPROVE PZ-2022-09**, a special permit commercial recreation based upon a finding that the special permit meets the relevant general special permit criteria of 17.3.1. Robin Lockwood seconded and the motion carried unanimously.

4.3 PZ-2022-05, 501 Talcottville Rd. An Application of Vernon Development LLC for a Site Plan and Special Permits to develop a 10,000 sq. ft. day care center at 501 Talcottville Rd. (Tax Map 09, Block 007, Parcel 0001D). Special permits requested include Section 4.9.4.15.1 (more than 40 parking spaces); Section 4.9.4.15.2 (structure within 200 feet of a residence); Section 4.9.4.15.3 (parking within 100 feet of a residence). The property is zoned Commercial.

- Shaun Gately, Interim Director, read the Public Notice published in the Journal Inquirer on April 9, 2022 and April 16, 2022.
- Shaun Gately, Interim Director, explained the reasons for the lengthy timeline in regards to the application. He recommended the Commission open the Public Hearing and hear the applicant's presentation.
- Timothy Coon, Principal Engineer with J.R. Russo & Associates, LLC, East Windsor, CT gave a detailed presentation with special attention to parking, traffic, drainage, soil erosion & sediment control test, signage, refuse and recycling, retaining walls, lighting, and landscape.
- Commission asked questions.
- Timothy Coon, Principal Engineer, responded.
- Shaun Gately, Interim Director, responded.

- Mark Vertucci, Traffic Engineer with Fuss & O'Neil, Inc, 146 Hartford Rd, Manchester, CT, responded in detail in regards to traffic.
- Discussion ensued.
- Shaun Gately, Interim Director, stated that lots of improvements have been made due to Safe Roads to School project.
- Chair Roland Klee, opened the Public Hearing at 8:26 PM.
- No one spoke in favor of.
- James King, 58 Worcester Road, spoke in opposition.
- Shaun Gately, Interim Director, read letters of opposition from Judith Veillette, 786 Dart Hill Road and Thomas Shirshac, 64 Worcester Road.
- Commission asked questions in regards to resident concerns, elevation and storm water.
- Shaun Gately, Interim Director, responded.
- Timothy Coon, Principal Engineer, responded.

Mike Mitchell **MOVED** to **CONTINUE** Public Hearing for **PZ-2022-09**, a special permit commercial recreation based upon a finding that the special permit meets the relevant general special permit criteria of 17.3.1. until the May 5, 2022 meeting. Robin Lockwood seconded and the motion carried unanimously.

4.4 PZ-2022-06, 501 Talcottville Rd. An Application of 501 Talcottville Rd. LLC to permit the re-subdivision of land into one additional parcel, located at 501 Talcottville Rd. (Tax Map 09, Block 0007, Parcel 0001D). The property is zoned Commercial.

- Shaun Gately, Interim Director, explained the details of the application and read the Public Notice posted in the Journal Inquirer April 9, 2022 & April 16, 2022.
- Shaun Gately, Interim Director, read and explained the staff comments.
- Alfred Benesh, of Alfred Benesh & Co., 120 Hebron Ave, Glastonbury, spoke in regards to the application.
- Commission asked questions.
- Alfred Benesh, responded.
- Shaun Gately, Interim Director, responded.
- Discussion ensued.

Robin Lockwood **MOVED** to **CONTINUE** Public Hearing **PZ-2002-06, 501 Talcottville Rd.** An Application of 501 Talcottville Rd. LLC to permit the re-subdivision of land into one additional parcel, located at 501 Talcottville Rd. (Tax Map 09, Block 0007, Parcel 0001D) until the May 5, 2022 meeting. Iris Mullan seconded and the motion carried unanimously.

5. 8-24 Referrals, If any

NONE

6. Other Business/Discussion

6.1 2022 Affordable Housing Plan Initial Draft Transmittal to be rescheduled for future meeting.

• Shaun Gately, Interim Director, had nothing additional to add at this time.

6.2 The Town of Manchester sent a notification letter to the Planning Department to inform that an application has been made by Key Hyundai of Manchester to construct a new car wash building on the subject property. This project is within 500 feet of the corporate limits of the Town of Vernon.

7. Public Comments Received

7.1 The Town received public comment from Judith Veillette.

Shaun Gately, Interim Director, read this into record at the Public Hearing for PZ-2022-05, 501

Talcottville Rd.

As stated in section 4.3 above.

7. Adjournment

Robin Lockwood **MOVED** to **ADJOURN** at 9:05 PM. Mike Mitchell seconded and the motion carried unanimously.

Jill Rocco Recording Secretary

PUBLIC HEARING(S) AND ACTION ON APPLICATIONS

APPLICATION

1

REFER TO FOLDER: "PACKET FOR APPLICATION 4.1 PZC 2022-05 501 TALCOTTVILLE RD"

APPLICATION

2

REFER TO FOLDER: "PACKET FOR APPLICATION 4.2 PZC 2022-06 501 TALCOTTVILLE RD (RE-SUBDIVISION)

Other Business/Discussion



DEPARTMENT

TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066 Tel: (860) 870-3664 Fax: (860) 870-3580 E-Mail: planning@vernon-ct.gov

MEMORANDUM

ТО:	Planning and Zoning Commission
FROM:	Shaun Gately, Interim Town Planner
SUBJECT:	Regulation Interpretation
DATE:	April 27, 2022

Regulation Interpretation: Sec 22.1.1 of Vernon's zoning regulations states "When a difference of opinion exists among the technical advisers to the various land use Commissions concerning a zoning regulation, the Planning & Zoning Commission shall be asked for, and be required to give guidance to the Zoning Enforcement Officer on the intent of the regulation".

Although there is no difference of opinion there is inconsistency in the way the regulations have been interpreted in the past. "Personal Convenience Services" are referenced in a variety of different zones and the interpretation of what is a barbershop and beauty salon is still evolving. Tattoo establishments appear to be consistent in use impact with the intent of allowing barber shops and beauty salons in our commercial zone. We already consider spas and piercing establishments to be similar to beauty salons. The uses function identically and both provide aesthetic enhancements as a personal convenience and there is little difference between someone getting their hair dyed and curled with chemical treatments then having someone dye your skin for aesthetic or cosmetic reasons. Tanning salons offer spray on tans, a spa will do chemical treatments to skin, all of these uses involve a vehicle trip for a personal service.

I have spoken with the local health department, and initial discussions appear to provide more oversight to beauty salons then they do to tattoo studios and no oversight to piercing establishments. They are all regulated on the state level and require state licensing. It also is not clear the reason for considering several uses as Special Exception verse Special Permit. Section 4.9.3.3- Personal Services not listed as above as a permitted use, requires a Special Exception. Section 4.9.4.5- Any retail outlet dealing in merchandise or <u>service similar</u> to the items listed above as permitted uses. So, the question at hand, are <u>Tattoo parlors</u>, tanning salons, piercing studios, spas, salons, barber shops, and all other personal care and personal grooming facilities, the same, similar or completely different.



Affordable Housing Plan



Town of Vernon

Planning & Zoning Commission

Draft: April 1, 2022

TABLE OF CONTENTS

Introduction	Page 3
Plan of Conservation and Development Overview	Page 4
Housing and Demographic Data	Page 5
Role of the Vernon Housing Authority	Page 6
Assessment of Housing Burden & Gap	Page 7
Assessment of Barriers	Page 8
Objectives and Strategies	Page 9

INTRODUCTION

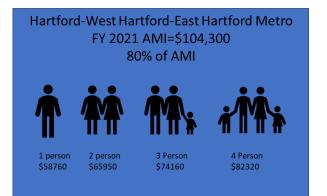
Impetus

Effective July 24, 2017 The Connecticut General Statutes, Title 8 Chapter 126a, Section 8-30j requires every municipality on the State to prepare and adopt an Affordable Housing Plan once every five years. For inaugural plans, municipalities have until July 2022 to adopt an Affordable Housing Plan. The Plan must specific how the Town of Vernon intends to increase affordable opportunities within the community.

The Plan of Conservation & Development and the Affordable Housing Plan are companion local policy documents

Definition

Affordable Housing is generally defined as housing (rental or owner-occupied) which costs less than 30% of the gross income of a household earning 80% or less of the area median income (ami). Paying more than 30% of housing costs like mortgage, rent, insurance, utilities, means that a household is cost-burdened, making it potentially difficult to afford other necessities such as food, medical care, clothing, and transportation. This calculation is adjusted annually and by household size:



Monthly Housing Costs (Rent/Mortgage plus Utilities) at 30% for Select Households		
1 Person	\$1442	
2 Person	\$1648	
3 Person	\$1854	
4 Person	\$2058	

PLAN OF CONSERVATION AND DEVELOPMENT (POCD)

An updated POCD, the Town's aspirational policy document intended to help guide development, open space preservation, and other local initiatives, was adopted in November of 2021. Housing Policy, with specific goals, objectives, strategies, and implementation measures, is a point of prioritization. Goal 4 of the Quality of Life Theme:

Maintain a diverse housing stock that supports all people of all ages, income levels, life stages, and backgrounds.

Objectives include:

- Provide a diversity of housing for all
- Promote a range of residential densities and housing types (all types as below)
- Grow sustainable, efficient, and accessible housing choices
- Increase the number of affordable units



A critical Implementation measure is to complete an Affordable Housing Plan.

HOUSING & DEMOGRAPHIC DATA

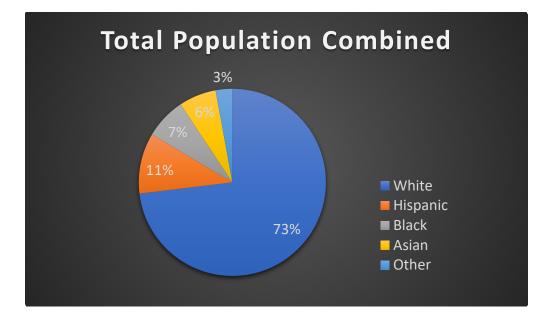
Housing Characteristics in Vernon

- 14,761 units (13,918 occupied, 843 vacant)
- 47% of the units are rented; 52% are owner occupied.
- 51% single family units; 49% consists of 2 or more units.
- Estimated 2339 units are designated as "affordable," or 16.83% (based on new 2020 State data).
- Median House price: \$207,600; Median Rent: \$1058

The pursuit of affordable housing is a hallmark of Connecticut State planning law. The Affordable Housing Appeals Act (Connecticut General Statute 8-30g) sets a goal of 10% of all units in a municipality meet the definition of affordable. According to the Connecticut Department of Housing, Vernon maintains over 16% affordable units.

Population & Income Characteristics

- 2020 Total Population-30,215 (3% growth from 2010)
- Median Household Income-\$64,587
- 9.5% in poverty
- 4.4% unemployment
- Please see the POCD for additional data sets



VERNON HOUSING AUTHORITY

The Vernon Housing Authority (VHA) plays an important role in local affordable housing options, serving the housing needs the Town for over 60 years. The Housing Authority provides multiple subsidized programs for community members including the Section 8 Voucher Program, Public Housing locations and projects, Congregate care, and other housing resources for Vernon residents.

During the POCD data collection phase, the VHA provided a great deal of information related to their operations, illustrating how immense the demand is in Vernon for affordable housing opportunities. For their public housing availability, the VHA reported 100% occupancy (June 2020) with over 500 applicants on the waiting list. For the voucher program, there were over 4,000 applicants on the Housing Voucher Program waitlist.

Select/Estimated Affordable Units and Voucher Availability In the Town of Vernon			
VHA Properties	323		
Housing Choice Voucher (Federal)	317		
State of CT Housing Voucher (State)	666		
CT Rental Assistance	485		
Project Based Vouchers	54		
Private Developer Subsidized or LITEC Units	384		

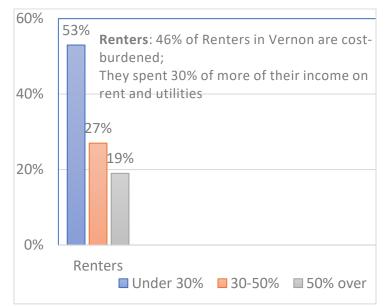
Other Below-Market Options

In Vernon, there are approximately 384 affordable residential units under private apartment ownership in projects such as Loom City Lofts, Old Talcott Mill, and Park West Apartments. These projects typically include Federal Low-income Housing Tax Credits to the owners for the provision of affordable units, in whole or in part of multi-family developments.

ASSESSMENT OF HOUSING BURDEN & GAP

Cost Burdened Households

36% of ALL households in Vernon spend more than 30% of the household income on housing and related costs. 46% of renters and 28% of homeowners fit this category. Renters demand for affordable units is the most significant, identifiable gap.





Waitlists

The waitlist numbers for both the Housing Authority Voucher program and private sector subsidized units (anecdotally) in the thousands represents a clear deficit in the supply of affordable units. Demand outpaces the supply by multitudes.

ASSESSMENT OF BARRIERS

The availability of new affordable units may be constricted by a number of local factors.

- Market demand a limited land Zoned for multi-family units. The Vernon housing marketplace is robust in terms of market-rate multi-family development. Recent demand has brought the Town several hundred new multi-family units in such developments as Trail Run and The Lofts. Market rate demand and market rate financing appear to often hedge ahead of subsidized development. Vernon is also limited in the total undeveloped acres for multi-family development. Although the recent POCD provides support for new multi-family development, existing zoning is quite limited.
- 2. Opposition to projects. Particularly higher density projects of any style, public opposition during the public process can be challenging for owners, developments, and applicants. While many of the public concerns for multi-family projects or subdivisions are quite legitimate (traffic, design, architectural, stormwater runoff, etc...), the process can be tinged with irrational, unreasonable, or other subjective biases. This raises the development costs for the project and dissuades potential investors.
- 3. Aging Housing Stock. Over 54% of Vernon' housing stock was constructed before 1970; 20% before 1950. An aging housing stock increases the costs on homeownership, first-time home buyers, and investors. Repair costs, energy efficiencies, roofs, foundations, and other major systems increase costs and presents a true barrier to affordability.
- Funding and Financing. The VHA spends a great majority of its capital reserves on repair and maintenance. There currently is little opportunity to expand the total number of units they manage. Additional public investment could initiate new units based on current demand.

OBJECTIVES & STRATEGIES

Provide a diversity of housing and housing types for all ages and income levels and expand affordable housing opportunities.

- a. Review and Update Zoning Requirements to permit accessory dwelling units, in a manner best suited for the Town.
- b. To encourage a mixed-income approach to housing, evaluate a community inclusionary requirement for a certain percentage of affordable units within every new market-rate development.
- c. Expand Landlord education and outreach to encourage, maintain, and/or require all units achieve minimum quality and good repair standards.
- d. Consider a long-term approach to enhanced housing inspections.
- e. Support the Connecticut Housing Finance Authority mortgage programs to expand home ownership opportunities.
- f. Increase the number of affordable units offered by the Vernon Housing Authority.
- g. Attract new Low-Income Housing Tax Credit projects (LIHTC)
- h. Consider Zoning Ordinance Changes to remove multi-family housing barriers to entry, such as expanding allowable use zones and permitting multi-family as a matter of right in certain areas.
- i. Identify opportunities for live-work housing units in the Rockville Historic District, in support of the Arts district initiation.

LEGAL NOTICES Published on: Saturday, April 23rd, 2022 and Saturday, April 30th, 2022

