

Mr. Lavitt questioned whether the application could be acted upon at this meeting.

Mr. Kushner answered that questions posed by the Fire Marshal and the Town Engineer with regard to the ability of the water company to provide adequate water pressure, must still be resolved.

Attorney Pamela Lucashu, representing Mr. & Mrs. Joffe who abut the property to the west, stated that her clients are requesting an Indemnification Agreement for any damages which would result from the ^{increased} runoff of storm water from the subject site. She noted that Ms. Draghi has already agreed to give one. She asked that it be made a condition for the Special Permit.

Mr. Aborn repeated his concern that his property might be damaged.

Teri Jensen, Somers Road stated that she lives three houses from the intersection with Route 140 and asked how much more traffic will be generated.

Ms. Draghi answered that she had a traffic study done and that it was estimated that each unit would create about five or six trips per day.

Chairman Lavitt asked if the traffic study was part of the packet presented earlier and Ms. Draghi included it.

Mr. Lavitt read the covering letter from F. A. Hesketh Associates into the record.

Ms. Jensen asked if Route 83 will be widened and spoke of the heavy traffic already carried by the two roads.

Tom Savage, Reeves Road, asked who will pay for the pump station and was told that Ms. Draghi would. He then asked how close the Town would be to their sewer capacity limit? The Chairman responded that there is a letter in file from the WPCA and that he would assume it does not push us to the limit.

In response to the Chairman's question as to whether the Commission should act tonight, Mr. Kushner answered that he would recommend that Messrs. Thompson and Lawrence's concerns be satisfied.

The Chairman closed the hearing at 8:50 p.m.

OLD BUSINESS

CHAPMAN-ZONE CHANGE-WEST ROAD (CT RT 83).

Mr. Lavitt asked the Town Planner for his comments. Mr. Kushner answered that there are more reasons against granting the change than in granting it. He felt that the projected traffic and sewer flows should be reviewed with caution.

Chairman Lavitt polled the Commission members: Alternate James Goodman felt that the Chapmans would have to have a strong case for the Commission to permit a change to MF. Alternate William Hogan shared Mr. Goodman's opinion, stated that he thought that the zone change was in the best interest of the landowner, not the Town. He considered the change request to be spot zoning, said that ample MF land exists, why create more? He took the position that sewer capacity does not exist and cited the 1977 Plan which designates the property as Area #8, with a capacity of 6000 gallons per day for the entire area, which he felt was the allocation for

the property along Route 83. Robert Wallace noted that people like to make use of their land, that it is hard to have a commission telling you what you can do with your land. He noted that the land has been zoned AA for some time and it is not a surprise that this is happening. He felt however that a zone should not be changed to benefit an individual. Francis Shea was in agreement with the other Commissioners as far as development along Route 83 is concerned.

motion

Alternate William Hogan moved that the Planning and Zoning Commission deny the request of Clifton and Sumner Chapman for the change of zone of 27.2 acres of combined Commercial and Residential A to MF Zone. Denial is based upon the following reasons: 1. The applicant has failed to demonstrate why the zone change is in the best interest of the Town, 2. The zone change is inconsistent with the Comprehensive Plan of Development for that parcel. 3. The zone change to MF is considered Spot Zoning. 4. Sewer capacity has not been provided for that parcel of land in the Contractual Agreement with the Town of Vernon and 5. Ample Multi Family zoned land exists in the Town which is currently undeveloped.

Alternate James Goodman seconded. Carried

Ayes: Chairman Lavitt, F. Shea, R. Wallace, Alt. J. Goodman and Alt. W. Hogan.

Nayes: 0

TRANSFER STATION-CRRA-(CT RT 140).

Steven Kushner circulated DRAFT copies of the conditions which he and Alt. Hogan have put together. He then went through the conditions item by item and discussed them at length. The ^{Chairman} called for a motion, as corrected, and when none was forthcoming, made it himself.

motion

Chairman Edwin Lavitt moved that the Planning and Zoning Commission approve the Special Permit for the Connecticut Resources Recovery Authority Transfer Station, Sheet 1 of 8 through 8 of 8, dated January 1987, Project 86-576 subject to the following conditions: SEE ATTACHMENT

Alternate William Hogan seconded. Carried

Ayes: Chairman E. Lavitt, F. Shea, F. Prichard, D. Hill, R. Wallace, Alt. J. Goodman and Alt. W. Hogan.

Nayes: 0

ZONING REGULATION CHANGES-SITE DEVELOPMENT PLAN REQUIREMENTS; REAR LOTS AND DRIVE WAY STANDARDS.

Chairman Lavitt asked Mr. Kushner to outline his rear lot proposals working from the draft revisions made after the Public Hearing. ^{Also} addressed were access strips, private property driveways, storm drainage, ^{and} all forms of surety.