

**TOWN OF SOMERS  
ZONING COMMISSION  
P.O. BOX 308  
SOMERS, CT 06071**

**REGULAR MEETING MINUTES  
JANUARY 17, 2012  
TOWN HALL – 7:00 p.m.**

**I. CALL TO ORDER:**

Jill Conklin, Chairperson called the Zoning Commission Regular meeting to order at 7:02 p.m. Also present were regular members: Robert Martin, Karl Walton, Daniel Fraro, Sam Smith, Staff Liaison John Collins, and Regina Robinson, Recording Secretary

Alternate Member: Paige Rasid

**II. PUBLIC HEARING:**

Application of Driving Range 349 Main Street LLC:

- (1) Modification to the existing Special Use Permit to include 6840 sq. ft. arcade/game room, a second seasonal 5,000 sq. ft accessory tent pursuant to section 214-98, B11 and B17, and a 440 sq. ft. addition to existing snack bar.
- (2) Modification of existing Special Use Permit to allow the sale of alcoholic beverages pursuant to section 214-87, (D2)

Chairperson, Jill Conklin read the Legal Notice indicating there would be a Public Hearing at the Town Hall in Somers, CT at 600 Main Street on January 17, 2012 at 7:00 p.m. to receive public comment on the following applications:

Application for the Driving Range at 349 Main Street LLC:

Modification to the existing Special Use permit to include 6840 sq. ft for arcade/game room, a second seasonal 5000 accessory tent pursuant to section 214-98, B11 and B17 of the Somers Zoning Regulation and a 400 sq. ft. addition to the existing snack bar.

A modification of the existing Special Use Permit to allow the sale of alcoholic beverages pursuant to section 214-87, D2 of the Somers Zoning Regulations.

Said proposals are on file in the Town Clerk's office of the Town of Somers. At this hearing, interested persons may be heard and written communication received. Dated December 29, 2011 to be published on January 4 2012 and January 11, 2012.

Tim Coon from J.R. Russo and Associates approached with maps. He was also accompanied by Jonathan Murray, 349 Main Street, LLC and Jerry Antonacci who represent the Driving Range.

Tim Coon reported the property consists of 18 acres on the north side of Main Street. They currently maintain a Special Use Permit for the existing uses which include the driving range, batting cages, a snack bar building, miniature golf course, go-kart track and a seasonal tent located in the back of the

batting cages. There is also 112 parking spaces. What Tim Coon is proposing is a 440 sq. ft. addition to the snack bar near the old service windows and a 6840 sq. ft. arcade building. Behind the existing seasonal tent they are looking to put a 50x100 ft. asphalt pad for a second seasonal tent. With the additional Uses it is required by Zoning that more parking spaces be provided. Tim Coon is also proposing an additional 69 spaces for parking to the existing parking lot which will give a total of 175 spaces.

With the improvements they are wishing to amend the Special Use Permit in accordance with section 214-98, B11 and B17 which will allow these Uses at the Golf Center.

The second part this application is a request to the modification to allow the sale of alcoholic beverages pursuant to section 214-87, D2 which allows the sale of alcoholic beverages at a Golf Center. The owner intends to apply to the State for a Café Liquor Permit. It will be similar to the Pleasant View Driving Range. Some of these activities are being proposed in the flood zone. They are filling the flood zone to provide compensatory storage.

The drainage in the parking lot will be collected with catch basin filter inserts to provide necessary treatment prior to discharge into the adjacent drainage ditch. They have received a permit from the Conservation Commission, approval from Steve Jacobs, Town Sanitarian and a positive referral from the Planning Commission last week.

Jonathan Murray spoke about the liquor permit and stated it would be a Restaurant Permit versus a Café Permit. He discussed the evaluations of the map. It will be a barn look with dormers and stoned face with brown siding to keep a rustic look.

Chairperson Jill Conklin asked if anyone would like to speak for and against the applicant to come forward.

Dorothy Cutter of 14 Olmstead Manor Drive approached to speak in opposition to the applicant. She remembered when this project first came to light from a zoning change to agricultural. It was supposed to be a driving range, and then it became miniature golf and a snack bar with all the signs. It was not just the major sign but all the small signs that were put up week after week. Hotdogs and hamburgers were being advertised. She said it looked tacky. All the tents went up and it looked like a circus tent. She got really riled up about it. Now there is a rock climbing wall in front and a trampoline and more signs in addition to the major sign. When does it stop? It looks like Savin Rock of northern Connecticut. She stated an arcade will soon be built and her opinion on that is no no no. She is also diametrically opposed to having a liquor permit there because this will just attract teenagers. She is in opposition on any further development. She finds it is disrespectful to the people and this is out of character with the Town of Somers. She is looking to ask the Town to not approve any further development.

John Cutter, the husband of Dorothy Cutter, also approached and spoke in opposition of the applicant. He said the Town should think extremely carefully about expanding the nature of this project. He told Mr. Antonacci the work he does is of quality and said it looks very nice, however, with a project of this nature; it could become a miniature amusement park. He does not think that Somers is ready for such an event. An attraction of an arcade usually attracts youngsters and, along with the sale of liquor, does not sound like a good mix. A large tent denotes big parties and people by the bus loads will be coming. He suspects it will get out of control. He would like to have it

stopped. John Cutter further stated there is a sign ordinance and it does not include putting a sign with menu items along the side of the road; and it does not include any extra signs in other places.

Jonathan Murray answered Robert Martin's question about cordoning off areas for the sale of liquor. He mentioned the alcoholic beverages will be cordoned off to the restaurant area, into a patio area and the concrete area between the mini golf area and restaurant area and the parking lot. Alcoholic beverages will be cordoned off to the back where the tents are in a fenced off area. They will not be allowed to walk over to the mini golf, batting cages and the rock wall. There are two separate permit premises through the State of Connecticut.

Sam Smith asked what the practical approach is for controlling where alcohol is going. Jonathan Murray said it is partially controlled by the rock wall. There will be signage around and people patrol.

Paige Rasid asked if there will be open bar events in the tent. Jonathan said we can and could sell it from the bar. It will depend on the event. He is not sure if there will be open bar events. They have not looked that far into whether they will hold open bar events.

Sam Smith asked what the nature of the events that are intended to be hosted in the tents. Jonathan Murray said there will be birthday parties, anniversary parties and corporate outings. Jonathan Murray said they have a responsibility as a licensee with alcohol to control the patrons and to make sure they are not getting intoxicated and wandering around the facility and causing problems.

Jonathan Murray further discussed the arcade area. It is a larger narrow building. Bowling alleys and mechanical games give people a wide range and different types of games to play. As far as signage, they did have a main sign. If there were signs, that were not supposed to be put up, were taken away. They did have grand opening signs for the go-kart track and event signs which are allowed. They tried to follow the Sign Ordinances as closely as possible. As soon as John Collins brought it up to their attention, they removed it. The cheeseburger and french fries signs are gone.

Dorothy Cutter added the more she hears about it the less she likes. It is getting farther and farther away from family oriented events to big groups coming in. She is more opposed now than when she walked through the door.

*Motion was made to close the public hearing at 7:28 p.m. by Karl Walton. It was seconded by Robert Martin. All were in favor, motion carried.*

### **III. NEW BUSINESS: None**

### **IV. OLD BUSINESS:**

Discussion/possible action

Application of Driving Range 349 Main Street LLC:

- (1) Modification to the existing Special Use Permit to include 6,840 sq. ft. arcade/game room, a second seasonal 5,000 sq. ft accessory tent pursuant to section 214-98, B11 and B17, and a 440 sq. ft. addition to existing snack bar.
- (2) Modification of existing Special Use Permit to allow the sale of alcoholic beverages pursuant to section 214-87, (D2)

Chairperson Jill Conklin asked the Commission if there were any further discussions regarding the Application of Driving Range 349 Main Street LLC.

*Motion was made by Robert Martin to approve the Application for Driving Range at 349 Main Street LLC. It was seconded by Karl Walton. All were in favor, motion carried.*

Karl Walton added with a small clarification to the audience that there are limitations of what the land will allow them to do. You cannot change a regulation when someone makes an application. Everything they proposed is within the limitations of what they can do. Current regulations allow everything they asked for. They complied with every hurdle put in their way by the land and regulations. We really don't have a choice but to approve them.

Further discussion of the Golf Center ensued.

#### **V. MINUTES APPROVAL: – December 19, 2011**

Robert Martin said he had a question about his comment that he made. It didn't make sense. He asked to strike it.

*Motion was made to accept the December 19, 2011 meeting as corrected by Robert Martin. It was seconded by Karl Walton. All were in favor, motion carried.*

#### **VI. STAFF/COMMISSION REPORTS: None**

#### **VII. CORRESPONDENCE AND BILLS: None**

#### **VIII. ADJOURNMENT:**

*Motion was made to adjourn the Zoning Commission Regular Meeting at 8:01 p.m. by Robert Martin. It was seconded by Karl Walton. All were in favor, motion carried.*

Respectfully submitted,

Regina C. Robinson, Recording Secretary

**MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING**