

**TOWN OF SOMERS
PLANNING COMMISSION
P.O. BOX 308
SOMERS, CONNECTICUT 06071**

**PLANNING MINUTES
REGULAR MEETING
Thursday, April 13, 2006
7:00 p.m. Town Hall**

I. PUBLIC HEARING

a. Continuation: Resubdivision Application #391: 2-Lots, 93 Field Road, Percoski

Chairman Karl Walton called the public hearing to order at 7:03 p.m. The appraisal came in with a market value of \$93,000.00, and the total open space fee will be \$9,300.00. This fee can be broken down to \$4,650.00 due upon the transfer of each lot.

Mr. Percoski questioned the need to quit claim the property for the strip of land between the road pavement and the street line along the frontage on Field Road to the Town of Somers. Mrs. Carson explained that it is standard practice for the Commission to require the quit claim deed. The Town Attorney has recommended that this action be taken on all new subdivisions.

A motion was made by Brad Pellissier, seconded by Georgeanne Genlot and unanimously voted to close the public hearing at 7:28 p.m.

II. CALL TO ORDER

Chairman Karl Walton called the regular meeting to order at 7:29 p.m. Members Cliff Bordeaux, Mike Collins, Brad Pellissier, Karl Walton, and Alternates Greg Genlot and Georgeanne Kuzman (seated for Michelle Hayward) were present and constituted a quorum. Town Planner Patrice Carson was also present.

III. OLD BUSINESS

a. Discussion/Possible Decision: Resubdivision Application #391: 2-Lots, 93 Field Road, Percoski

Mrs. Carson suggested that the requirement for topography in the wetland area be waived because the wetlands are very flat and self-preserving.

A motion was made by Brad Pellissier, seconded by Georgeanne Kuzman and unanimously voted to approve Richard P. Percoski's 2-lot resubdivision, application #391, in accordance with the plans known as "Percoski Resubdivision, Field Road in Somers, Connecticut", dated: October 23, 2003 & October 24,

2003, revised: through 3/30/06, 2 sheets, which is conditional on the following:

1. The Town of Somers shall place a notice on the land records to insure payment of a \$9,300.00 fee in lieu of open space (\$4,650.00 per lot) which is required to be paid to the Town of Somers upon the sale or transfer of each lot.
2. The fee for the appraisal for open space shall be paid in full and proof of payment shall be submitted to the planning office.
3. Within 90 days of this approval all iron pins and monuments be set and certified in accordance with the plans or a \$10,000 bond received by the Town in accordance with Section 213-54.c. of the Subdivision Regulations.
4. The signatures of the Town Engineer and Town Sanitarian shall be on the plans signifying their approval of the plans in accordance with Section 213-19 of the Subdivision Regulations.
5. All appropriate seals and signatures of the design professionals for this plan shall be on the plans.
6. A Quit Claim Deed shall be provided to the Town of Somers for the strip of land between the road pavement and the street line established by the subdivision plans running along the entire frontage of the property on Field Road.

The Commission waives the requirement for topographic information in the wetlands since there is no development or anything that affects the wetlands.

The Planning Commission finds with these conditions the plan meets the requirements of the Somers Subdivision Regulations.

b. Discussion/Possible Decision: Subdivision Application #392: 1 Lot, 183 Mountain Road, Dewitt

T.J. Baressi from Ed Lally & Associates presented plans for the applicant and also gave Mrs. Carson the required certified mail notification receipts. He briefly reviewed the application for the 4.51 acre 1-lot subdivision on the north side of Mountain Road. The proposed single-family, 3-bedroom residence will be served by a private well and septic system, both having received approval from the Town Sanitarian, Steve Jacobs. The applicant has also obtained approval from the Zoning Board of Appeals for the proposed driveway which runs onto the abutter's property. A deed for the access easement rights will be filed on the Somers Land Records.

Comments have been received from the Fire Chief and the Town Engineer. One item requested is the re-surveying of the street line providing a smoother line for the Town. Once completed, minor changes will be made to the frontage shown on the plans and this information will be given to Merv as soon as it is available.

A motion was made by Brad Pellissier, seconded by Georgeanne Kuzman and unanimously voted to approve Bonnie Lowrie DeWitt's 1-lot subdivision, application #392, in accordance with the plans known as "Single Lot Subdivision, Prepared For Bonnie Lowrie DeWitt, 183 Mountain Road, Somers, Connecticut", dated: February 21, 2006, Revised: through 4/11/06, 4 sheets, which is conditional on the

following:

1. A note shall be placed on the plans:

“The filing of a \$8,700.00 fee in lieu of open space is required to be paid to the Town of Somers upon the sale or transfer of this lot.”

The Town of Somers shall also place a notice on the land records to insure payment.

2. The \$375.00 fee for the appraisal for open space shall be paid in full and proof of payment shall be submitted to the planning office.

3. Within 90 days of this approval all iron pins and monuments be set and certified in accordance with the plans or a \$10,000 bond received by the Town in accordance with Section 213-54.c. of the Subdivision Regulations.

3. The signatures of the Town Engineer and Town Sanitarian shall be on the plans signifying their approval of the plans in accordance with Section 213-19 of the Subdivision Regulations.

4. All appropriate seals and signatures of the design professionals for this plan shall be on the plans.

5. The volume and page number recorded in the Town Clerk’s Office for the right of way access for this lot over the neighboring lot shall be noted on the plans.

6. The applicant’s surveyor shall assist the town engineering consultant in determining whether the front street/boundary line is in the appropriate position as determined by a previous or existing boundary survey. After this information is provided, the front street/boundary line may require a minor modification to be mutually determined by the applicant’s surveyor and the town’s engineering consultant. Said modification may require monumentation above and beyond the simple setting of iron pins at the property corners.

7. A Quit Claim Deed shall be provided to the Town of Somers for the strip of land between the road pavement and the street line established by the subdivision plans running along the entire frontage of the property on Mountain Road.

The Commission waives the requirement in Section 213-22.C. of the Subdivision Regulations which requires, where practicable, lot lines to be either at right angles or radial to street lines.

The Planning Commission finds with these conditions the plan meets the requirements of the Somers Subdivision Regulations.

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c. **Other** - No other Old Business was presented.

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IV. NEW BUSINESS

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a. **Zoning Referral: Site Plan Application for Change of Use from Non-conforming Residential to Commercial 36 South Road, Jacewicz**

The applicant is seeking to change the second floor of the building, currently used as non-conforming residential, to commercial use. The applicant understands that once the change is made, it cannot be changed back again without a Special Use Permit.

A motion was made by Georgeanne Kuzman, seconded by Brad Pellissier and unanimously voted to recommend to the Zoning Commission approval of Jacewicz's application to change the use of the building at 36 South Road completely to commercial use which is in accordance with the Plan of Conservation and Development's recommendation that the Town encourage business development. Although the Plan also encourages mixed-use development, this site and building seem to fit better as all one use.

b. 8-24 Referral: Acquisition of Property/Substantial Improvement for Elderly Housing, 79 Battle Street (Map 05, Block 63), Town of Somers

A public hearing was held regarding the expansion of Woodcrest on Battle Street and the residents' response was favorable. The Town would now like to look into the best way to proceed and is seeking a recommendation from the Planning Commission to complete a study on the expansion. One possibility being considered is to add housing on approximately 13-acres located northwest of Woodcrest which is part of the cemetery. A concern has arisen about this, however, because the site contains high-quality gravel that the Town has been using. Mrs. Carson suggested that the Commission recommend that the study be completed.

A motion was made by Cliff Bordeaux, seconded by Brad Pellissier and unanimously voted that the proposal to use a portion of the town property at 79 Battle Street for elderly and disabled income-assisted housing is approved by the Planning Commission in order for the town to begin pursuing development studies and options. The Planning Commission will need to again review any substantial improvement proposals for the site. For the purpose of complying with Section 8-24 of the Connecticut General Statutes, this resolution along with the minutes of the Commission as to this matter shall constitute the Commission's report as to this proposal to be duly recorded and transmitted to the Board of Selectmen of the Town of Somers.

c. Reconfiguration of Lots, 105 & 113 Franklin Woods Drive (Map 09, Block 71, Lots 25 & 26), Patson

The applicant is seeking to combine two building lots into one lot in order to build a home on the site.

A motion was made by Cliff Bordeaux, seconded by Brad Pellissier and unanimously voted to approve the reconfiguration to combine property of James Patsun at 105 & 113 Franklin Woods Drive (Map 09 Block 71 Lots 25 & 26), as shown on map entitled, "Reconfiguration Plan, Property Survey Prepared For James Patsun, 109 Franklin Woods Road, Somers, Connecticut", dated: 4/10/2006, 1 sheet. This reconfiguration does not constitute a subdivision because no new lot is created.

d. Other: Reconfiguration of Lots, 167 & 181 Root Road, Map 12, B1 17a & 14, Gallant

The applicants are seeking to combine both parcels to create one large lot to build a new home.

A motion was made by Cliff Bordeaux, seconded by Georgeanne Kuzman and unanimously voted to approve the reconfiguration to combine property of Brian M. & Candace W. Gallant at 167 & 181 Root

Road (Map 12 Block 17A & 14), as shown on map entitled, "Reconfiguration Plan, Property Survey Prepared For Brian & Candace Gallant, 167 Root Road, Somers, Connecticut", dated: 4/11/2006, 1 sheet. This reconfiguration does not constitute a subdivision because no new lot is created.

V. DISCUSSION: PLAN OF CONSERVATION AND DEVELOPMENT

A reminder was given that the next meeting is scheduled for April 24, 2006 at 7:00 p.m.

VI. STAFF/COMMISSIONER REPORTS

Mrs. Carson noted that the application for Geisslers has been presented to the Zoning Commission. She also explained that Mr. McCullough has received approval for a variance from the Zoning Board of Appeals for land at the end of White Oak.

VII. AUDIENCE PARTICIPATION - There was none.

VIII. CORRESPONDENCE AND BILLS

There was no correspondence.

A bill was received from the Journal Inquirer for \$173.14 for the meeting of March 9, 2006 and the public hearing of March 23, 2006. A bill was received from the Town Engineer for \$4,348.75 for January through March 2006.

A motion was made by Cliff Bordeaux, seconded by Brad Pellissier and unanimously voted to pay the bills.

IX. MINUTES APPROVAL

A change was made to the Minutes of March 23, 2006 as follows: Page 2, "EDA" was changed to "EPA" in the Correspondence and Bills section.

A motion was made by Georgeanne Kuzman, seconded by Brad Pellissier and unanimously voted to approve the March 23, 2006 Minutes as amended.

X. ADJOURNMENT

A motion was made by Cliff Bordeaux, seconded by Brad Pellissier and unanimously voted to adjourn the April 13, 2006 Planning Commission meeting at 8:27 p.m.

Respectfully submitted,

Brad Pellissier, Secretary

Robin Timmons, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.