

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

**PLANNING MINUTES
REGULAR MEETING
Thursday, December 7, 2006
7:00pm Town Hall**

I. PUBLIC HEARING

a. Subdivision Application #396, 14 Lots (High Ridge Estates), Hall Hill Road (353-367), High Ridge Estates, LLC

Chairman Karl Walton opened the public hearing at 7:00pm and the Town Planner read the legal notice

Guy Hesketh, a licensed engineer representing the applicant Mr. Leaska, presented the project. The property in question is approximately 20.02 acres owned by High Ridge Estates. It is located on Hall Hill Road and there is a small parcel of land owned by Ms. Ida Roy that would be incorporated in with this initial acreage of 2.16 acres to total 22.11± acres. The applicant is proposing a subdivision which would be divided into 14 lots. The lots meet the minimum requirement of 40,000 square feet of buildable area and are accessible from Hall Hill Road and McCullough Drive. There is also a proposal to split the parcel with a stub road to the south to allow for access to another future subdivision on the “Kasperzak” property which is required for Planning purposes by the Subdivision Regulations.

The grading plan depicted a natural drainage divide. One way flowing towards Hall Hill Road and the other to a lower point, to a culvert located off of Georgewood Road and a southerly divide as well, all which mirror the current water shed drainage area. Because Somers has regulations stating there is to be no increase in peak run-off, a couple of storm drainage systems were created acting as controls for the outlet of the water and creating storage.

The larger detention basin will flow through an easement on the Kasperzak’s property where a private agreement has been reached. There will be no increase in peak run-off with an actual net reduction in the end.

The Hazardville Water Company says there is adequate capacity to pick up water on the main on Georgewood Road and carry it up McCullough Drive to the new street which the Somers Water Pollution and Control Authority approved on August 1, 2006 subject to a fee of \$36, 400. Hydrants will be provided for fire protection.

- The septic systems meet state Health Code requirements as noted by the Town Sanitarian in a letter dated September 20, 2006
- There have been deep test pits done and work has been done with Steve Jacobs to fine tune any

other issues

- Majority of the houses are 4 bedroom with some 3 bedroom due to size and soil characteristics
- A request for a fee in lieu of Open Space was also discussed and although this figure has yet to be determined, it is noted that a fee in lieu of open space shall be paid to the Town in the amount equal to ten percent (10%) of the appraised value of the property as determined by Stewart Appraisal
- The Wetlands Commission approved the application for permit on June 2, 2006
- The Fire Department has established that the road (Aspen Ridge) width should be 24 feet with postings of no parking signs on one side of the road
- In regards to the fire hydrants, their locations have been modified and are acceptable to the department
- Mr. Strauss stated that he had had a series of meetings and that there was just a handful of “house keeping items” which would need to be addressed, but that for the most part that the provision required to provide access to the Kasperzack property has been met, as well as the drainage basically stating that the peak flows are suppressed as required by the state and local regulations
- Any street lights added to this new subdivision are to be addressed by the Board of Selectmen

The Chairman asked for comments from the audience. There were none in favor. The following audience spoke:

Bob Bujak, 359 Hall Hill Road, questioned whether the drainage issues were addressing surface water or ground water. He also inquired if the proposed lots could utilize wells? Lastly, he has had nitrates in his well water and wondered if his well water could become more polluted due to the number of septic systems this subdivision would place in his vicinity.

Mr. Hesketh answered that both the surface and ground water issues have been addressed. Mr. Strauss mentioned that there cannot be wells utilized due to pollutants which were utilized when the area was farmed. Mr. Hesketh added that the septic systems these days are far superior to those which were built years ago and that they meet a much higher standard. All septic systems will be in compliance with the Connecticut State Health Codes.

Gordon Mello, 471 Four Bridges Road (also representing Mr. Anthony White of Four Bridges Road), stated that he has the lowest piece of property on Four Bridges Road and has had a great deal off issues with water in his basement. He is concerned about receiving more runoff from the subdivision.

Mr. Hesketh stated that he should not received any additional drainage and that extensive time was given to the drainage issue.

Lorraine Falbo, 389 Hall Hill Road, had an issue with standing water in the detention basin attracting mosquitoes, bugs, or animals. She was also concerned where all the septic systems were going to drain. She has already had issues with her well being contaminated from some of the other homes around her.

Mr. Hesketh stated that DEP prefers that catch basins be above ground due to plants and other aquatic communities and their need to grow. The maintenance is also easier if above ground. The water will only

remain in the basin for a few hours. Even with a 100-year storm, the catch basin would still be empty within 24 hours. There will be no “standing” water. Again he mentioned the higher level of standards for the septic systems of today and didn’t foresee an issue with pollutants in her well from them.

Al Seagrave, 42 McCullough Drive, had a lot of questions which were addressed already and also asked if erosion controls are in the construction bond. Ms. Carson responded “Yes” adding that there were a list of items on the bond totaling \$1,015,680.00

Michael Reardon, 12 McCullough Drive, was concerned with his property being surrounded by construction. The Kaspersak easement work as well as the construction of the subdivision will be going on both in front and behind his land. He also inquired about why the water was being taken down along side the Kasperzak’s property and not being picked up by existing drainage on McCullough Drive.

Mr. Hesketh expressed that the drainage issue would be addressed first before the construction, so that both the front and back of his property would not be disturbed simultaneously. Also, the culvert on the Kasperzak property is in keeping with the existing drainage pattern. As for the easement agreement, that was a private agreement reached between Mr. Kasperzack and the applicant to which he could not speak.

Eric Young, 15 Rye Hill Circle, wanted to know what kind of road the Commission saw going in as the “stub” road which would lead to the Kasperzack property and any future development? Mr. Strauss responded that present regulations would require a 22-foot road with at least 3 internal lots on a cul-de-sac. But added, that the road that would be placed there would be under current subdivision regulations when the proposal came forward.

Bob Bujak, 359 Hall Hill Road, asked if there could be a study done to see where the affluent goes and how it is spread out to decrease the possibility of future pollutants in his well. Ms. Carson responded that Mr. Jacobs could request a hydrology study and has the right to do so, but sees no future contamination issue and has not requested that a study be done at this time. Also, Mr. Hesketh added that Public Health Code requirements have strict setbacks for a septic system from a well, etc., and the septic systems meet these Health Code requirements.

Jeff and Sharron Cournoyer, 35 Loubier Drive, sent a letter to be read into the record which mentioned an excessive water issue behind their property as well as the wildlife such as deer that would be disturbed if the subdivision was to go forward.

Commissioner Bordeaux inquired if each home would have a yard drain. Mr. Hesketh stated no, it would depend on the drainage of each lot. He thought it would be in the homebuyer’s best interest to be made aware of these yard drainages and that it is their responsibility to maintain them. The Commission came to a general consensus that a note to that effect should be on the plans.

Chairman Walton finished the Public Hearing explaining that the Planning Commission cannot bend subdivision regulations for any reason or for any subdivision. If the applicant meets the regulations then the Commission needs to approve the plans; if they do not meet the regulations, then the Commission must deny the application. He went on further to say that the Commission has no hidden agenda and look

at only the facts.

A motion was made by Mr. Genlot, seconded by Ms. Kuzman, and unanimously voted to close the Public Hearing at 8:28pm.

II. CALL TO ORDER

Chairman Karl Walton called the regular meeting to order at 8:31pm. Members Karl Walton, Cliff Bordeaux and Alternate Members Greg Genlot (seated for Brad Pellissier), Joe Iadarola (seated for Mike Collins), and Georgeanne Kuzman (seated for Michelle Hayward) were present and constituted a quorum. Engineering Consultant Mervyn Strauss and Town Planner Patrice Carson were also present.

III. OLD BUSINESS:

a. Subdivision Application #396, 14 Lots (High Ridge Estates), Hall Hill Road, High Ridge Estates, LLC

The Commission agreed that all lots should have a note regarding the maintenance of yard drains is the homeowner's responsibility.

A motion was made by Mr. Bordeaux, seconded by Mr. Iadarola, and unanimously voted to approve High Ridge Estates, LLC's 14-lot subdivision, application #396, in accordance with the plans known as "Subdivision Plan Prepared for High Ridge Estates, LLC, Hall Hill Road, Somers, Connecticut", dated: 04-26-06, revised: through 12-05-06, 21 sheets, which is conditional on the following:

1. A fee in lieu of open space shall be paid to the Town in the amount equal to ten percent (10%) of the appraised value of the property as determined by Stewart Appraisal. The fee will be split equally among the 14 lots and paid to the Town of Somers upon the sale or transfer of each lot.
The Town of Somers shall also place a notice on the land records to insure payment.
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. 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. Add the symbols for "iron pins to be set" on the north and south ends of the lot line between lots 10 and 11.
6. In accordance with Section 213-46. The developer shall install street lighting as required and approved by the Selectmen.
7. "No Parking This Side of Street" signs shall be posted on one side of the street for the entire length of the street as recommended by the Fire Department.
8. The pipe diameter from Stations 14+79 to 15+91 shall be shown as 24" (inch).
9. The dimensions for the 20 by 30 drainage easement on Lot 6 have been added to the plans, however, a dimension(s) is missing that positions the easement in an east/west direction along the lot

frontage. This shall be added to the plan.

10. A bond for site improvements in the amount of **\$1,015,680.00** and in a form acceptable to the Town Attorney be filed with the Planning Office as required by Section 213-54.

11. The applicant shall execute the Water Connection Agreement with the Water Pollution Control Authority and pay the \$36,400.00 connection charge.

12. A note shall be added to all the lots which have yard drains which states, "Maintenance of the yard drain is the responsibility of the home owner."

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

b. Subdivision Application #397, 23 lots (Gillette's Crossing), 180 Battle Street & Eleanor Lane, KRL Builders (01/11) – Set Public Hearing Date

Mr. Aeschliman of Aeschliman Land Surveying, represented Ric Leno and KRL Builders and presented the latest information on this application to the Commission. Since the last Planning meeting, the Selectman have met and discontinued a portion of Eleanor Lane. This now means that all lots conform to the town regulations regarding frontage. The Open Space fee will be divided among the 23 lots not 24 as originally noted. The street lighting issue will be handled by the Board of Selectman. At the end of Mason Lane there is a deep cut and some landscaping design plans were suggested. Mr. Strauss wanted some changes to that design plan allowing for a more aesthetic approach. He also wants comments from Public Works about Mason Lane meeting Bailey Lane and changing from 24 feet to 22 feet in width. Staff reviewed lot #11 and the applicant will change the lot in question so that there will be no corner lots in that section to meet with frontage regulations. Mr. Aeschliman will make the appropriate changes to the schematics before the public hearing. Mr. Aeschliman also mentioned that he is still waiting to hear from Mr. Morrill in regards to driveway surfaces.

A motion was made by Mr. Genlot, seconded by Ms. Kuzman, and unanimously voted to set a Public Hearing in the Town Hall on Thursday, January 11, 2007 for KRL Builders' Subdivision Application #397 for 23 lots (Gillette's Crossing) at 180 Battle Street & 7 Eleanor Lane, beginning at 7:00pm.

c. Request for Bond Reduction/Release Work on Greystone Farm Estates Subdivision, Stafford & Rocky Dundee Roads, Schober

The subdivision was approved in March 2005 and at that time GCS Land Development Corporation's performance bond of \$27, 568.00 was held for the public improvement work required for the 8-lot subdivision. Since that time, Mr. Strauss and Mr. Morrill of Public Works have been to the site and Ms. Carson has received a letter from Tarbell Heintz stating that all the pins and monuments have been set in accordance with the plans. All other outstanding issues have been addressed as well.

A motion was made by Ms. Kuzman, seconded by Mr. Iadarola, and unanimously voted to approve the release of GCS Land Development Corporation's performance bond of \$27, 568.00 for site improvement work required and completed in conjunction with the 8-lot subdivision on Stafford and Rocky Dundee Roads in the Greystone Farm Estates Subdivision, in accordance with recommendations from the Town

Engineer and Public Works Department.

d. OTHER – There was none.

IV. NEW BUSINESS

a. Subdivision Application #398, 10 Lots (Stone Crossing), 185 Stafford Road, Mink Farm Associates, LLC (02/08) – Set public Hearing Date.

Rick Granger was present to discuss the 10-lot subdivision. A fee in lieu of Open Space has been offered by the applicant, recommended by the Planning & Open Space Trails Committed, and agreed to by the Commission. Stewart Appraisals will perform the appraisal. This is a conventional straight forward subdivision. GEO Quest has done some soil sampling and there were to be some areas that needed remediation in Phase I of the project, and that has been completed. There are no wetlands on the property. Although there have been some staff reviews, the Commission thought it would be best to schedule the public hearing at the January 25, 2006 meeting.

A motion was made by Mr. Iadarola, seconded by Ms. Kuzman, and unanimously voted to set a public hearing in the Town Hall on Thursday, January 25, 2007 for Mink Farm Associates, LLC's Subdivision Application #398 for 10 lots (Stone Crossing) at 185 Stafford Road, beginning at 7:00pm.

b. OTHER – There was none.

V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

Ms. Carson stated that she will be placing a great deal of time into the Somersville moratorium. She will also be working with the Fire Department to obtain specifics on the size of a cistern. She has received various sizes ranging from 3,000 to 30,000. She is also seeking a consensus from the Fire Department in regards to driveway length, width, and turnouts. If she is unsuccessful in reaching this consensus before the next Planning meeting, she will invite the Fire Department to attend so that a conclusion may be reached on these issues.

VI. STAFF /COMMISSIONER REPORTS – There were none.

VII. AUDIENCE PARTICIPATION – There were none.

VIII. CORRESPONDENCE AND BILLS – There were none.

IX. MINUTES APPROVAL: November 16, 2006 – to be addressed at next meeting.

X. ADJOURNMENT

A motion was made by Mr. Bordeaux, seconded by Ms. Kuzman, and unanimously voted to adjourn the December 7, 2006 Planning Commission meeting at 9:21pm.

Respectfully submitted,

Jennifer Boudreau
Recording Secretary

Bradley Pellissier
Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING