

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

**PLANNING MINUTES
REGULAR MEETING
Thursday, February 8, 2006
7:00 p.m. Town Hall**

I. PUBLIC HEARING

a. CONTINUATION: SUBDIVISION APPLICATION #397, 23 LOTS (GILLETTE'S CROSSING), 180 BATTLE STREET & 7 ELEANOR LANE, KRL BUILDERS (02/08)

Chairman Karl Walton called the public hearing to order at 7:04 p.m. and the legal notice was read. Mr. Aeschliman of Aeschliman Land Surveying, and Engineer John Martucci represented applicant Ric Leno of KRL Builders. Mr. Aeschliman noted the several changes that were made to the plans: Mr. Strauss wanted a solid yellow line placed on the roadway for the new subdivision; Mr. Jacobs had approved the lot line change between lot 1 and lot 2; Ms. Carson read into the record a letter from David Askew dated February 2, 2007 which noted that a cash bond or a passbook bond for erosion and sedimentation controls in the amount of \$5,000.00 be filed with the Planning Office prior to any work being started on the site.

Chairman Walton then welcomed comments from the public, none were in favor.

Eric Young, 15 Rye Hill Circle wished to recap those items that he had mentioned at previous meetings. His wife's parents have lived on Bailey Lane for many years and it is for their safety and the safety of others living on that street that he has come forward with numerous facts and suggestions in regards to this proposed subdivision. In regards to the proposed road, he spoke to its curvature/slope, its sight line, the intersection between Eleanor Lane and Bailey Lane (sharing federal laws and definitions for "intersections"), the use of stop signs for speed control, minimum design speed, and the processes for the discontinuance of Eleanor Lane itself and the Laws of Abandonment.

In addition he provided recent pictures of Eleanor Lane looking in various directions to further emphasize his points and inquired about the Dauphin driveway asking how that met with current driveway regulations.

John Rush, 22 Bailey Lane inquired about the safety of individuals if the proposed subdivision was to move forward and the cul-de-sac opened to a thru road. He thought that although the town prefers thru roads that it would be in the town's best interest to leave the cul-de-sac as is.

Don Tisdale, 23 Bailey Lane spoke to Mr. Rush's points of safety and the proposed placement of the intersection. He felt the town should leave the cul-de-sac if safety is the main concern.

Chairman Walton responded that the Planning Commission must follow the state and town regulations and statutes. The applicant has hired certified engineers to review and devise the safest scenario for the proposed subdivision before the Commission. There has been no certified individual(s) come forth to dispute or discredit what has been presented to the Planning Commission. All facts presented by the applicant or the public are reviewed and taken under advisement. Mr. Iadarola added that the town safety officer and other agencies involved in safety – such as the fire department, public works, and Town Engineer, have reviewed the plans as well. If they had concerns with safety regulations or the plans meeting safety levels, those concerns would have been voiced and changed.

Applicant Ric Leno spoke to the audience with regard to the safety issue and reiterated the fact that he felt there were no safety issues with the proposed subdivision road. He added that he had indeed hired a traffic engineer to make sure there would be no issues with safety. He also added that Mr. Strauss, a skilled and experienced engineer in his own right, had reviewed the plans as well. Any and all changes that needed to be made were made.

Mr. Strauss added that the Dauphin driveway is an existing condition and has a regulatory sight line and nothing changes in regards to his driveway if the proposed subdivision is approved.

A motion was made by Mr. Genlot; seconded by Mr. Pellissier, and unanimously voted to close the public hearing at 7:55 P.M.

b. SUBDIVISION APPLICATION #398, 10 LOTS (STONE CROSSING), 185 STAFFORD ROAD, MINK FARM ASSOCIATES, LLC (03/08)

Chairman Walton opened the public hearing at 7:56 P.M. and the legal notice was read. Mr. Marty Post began the discussion with an explanation of how he thought this to be a “re-subdivision of 18 lots”. Initially there was a 10 lot subdivision – developing the inside lots, but now there were the exterior lots which had changed and should now be added. He further explained that there needs to be some clarity as to which land is located in the state of MA and the state of CT for it directly impacts the coordinates – longitudinal and lateral. Massachusetts is not willing at this time to provide specific coordinates. They don’t wish to have coordinates “tied” to a property line because the bearings continually change. Ms. Carson started by explaining that it may be easiest to review this Subdivision as having two Phases. Since Phase One of 8 frontage lots has already been approved, it would be best to review this as Phase Two of 10 interior lots.

Mr. Nat Sreenath, the engineer on the project explained that the detention basin is designed to handle a 100-year storm, the roadway is designed to handle a 10 year storm, and he had presented to Mr. Askew documentation on the water volume, septic systems, well information, and test pit findings.

Ms. Carson added that the proposed above-mentioned subdivision is being reviewed as a cul-de-sac because there is no way to have a thru road either from the MA property or the CT property side due to surrounding property already being owned and developed.

Susan Peck, 91 Skyridge wished to review the plans further and took the opportunity to do so up close.

Ms. Carson had received a letter from the Fire Department stating that the street name “Stone Crossing” was acceptable, but added that the suggested 22-foot wide roadway width would need to have no parking signs on one side of the street for safety and accessibility issues.

Ms. Carson also mentioned that there were some comments from Mr. Askew in regards to erosion controls, seeding, statewide regulations for detention basins and what would need to be done during the time of construction. He is requesting that a cash bond or a passbook bond for erosion and sedimentation controls in the amount of \$5,000.00 be filed with the Planning Office prior to any work on the site being started.

Mr. Jacobs November 27, 2006 letter stated that the plans meet all requirements at that time and that the well in question – shown on the plans – has been addressed to his satisfaction.

Mr. Strauss referred back to an email that he had sent to Ms. Carson stating that there were some “housekeeping” issues but nothing that could not be resolved. He explained that since the entire plan sheets would NOT be filed; due to spacing availability, that **all** plan sheets must provide the same key information. Mr. Strauss had just received the flood information that afternoon and had yet to review it in depth. He did however ask about the bond figure. Mr. Nat Sreenath stated that he would present an estimate.

At 8:29 p.m., a motion was made by Mr. Pellissier, seconded by Mr. Genlot, and unanimously voted to continue the public hearing for Mink Farm Associates, LLC’s resubdivision application #398 for 10 Lots (Stone Crossing) at 185 Stafford Road to Thursday, March 8th, 2007, beginning at 7:30 p.m. in the Town Hall..

II. CALL TO ORDER

Chairman Karl Walton called the regular meeting to order at 8:30 p.m. Members Greg Genlot, Brad Pellissier, Karl Walton, and Alternate Member Joe Iadarola (seated for Cliff Bordeaux) were present and constituted a quorum. Town Planner Patrice Carson and Engineering Consultant Mervyn Strauss were also present.

III. OLD BUSINESS:

a. DISCUSSION/POSSIBLE DECISION: SUBDIVISION APPLICATION #397, 23 LOTS (GILLETTE’S CROSSING), 180 BATTLE STREET & 7 ELEANOR LANE, KRL BUILDERS

Mr. Iadarola stated that he was comfortable with the changes that the design team on the project had made.

A motion was made by Mr. Pellissier, seconded by Mr. Iadarola, and unanimously voted to approve KRL Builders Inc.’s 23-lot subdivision, application #397, in accordance with the plans known as “Gillette’s Crossing Prepared for KRL Builders, Somers, Conn.”, dated: 11-9-05 & 3-22-06, revised: through 02-02-07, 22 sheets, which is conditional on the following:

1. A note shall be placed on the plans:

“The filing of a \$90,000.00 fee in lieu of open space (\$3,913.04 per lot) is required to be 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 \$850.00 fee for the appraisal for open space shall be paid in full and proof of payment shall be submitted to the planning office.

3. 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. In accordance with Section 213-46. The developer shall install street lighting as required and approved by the Selectmen.

6. “No Parking This Side of Street” signs shall be posted from the end of the existing Bailey Lane for the balance of all the newly constructed roads on one side of the street chosen by the Fire Chief prior to installation.

7. A bond for site improvements in the amount of **\$1,122,776.00** and in a form acceptable to the Town Attorney be filed with the Planning Office as required by Section 213-54.

8. A cash bond or passbook bond for erosion and sedimentation controls in the amount of **\$5,000.00** shall be filed with the Planning Office prior to any work on site.

9. 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 Battle Street.

10. A note shall be added to the plan sheets 13 through 18, “The number and location of fire hydrants shall be approved by the Fire Chief just prior to installation.”

11. The water surface contours should be added to the plans to clarify the delineation of the 100-year flood hazard area.

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.

f
b. DISCUSSION/POSSIBLE DECISION: SUBDIVISION APPLICATION #398, 10 LOTS (STONE CROSSING), 185 STAFFORD ROAD, MINK FARM ASSOCIATES, LLC

This item was deferred since the public hearing was continued.

c. SUBDIVISION APPLICATION #399, 2 LOTS (KASACEK SUBDIVISION), 87 BILLINGS ROAD, BUCK BUILDERS LLC (03/22)

Mr. Blaine Buck explained that he was under the impression that Mr. Aeschliman was to present updated plans to the Commission that evening. The Commission explained that they had not received any new

plans for the subdivision. There was a meeting on February 6th, 2007, regarding the waterline and he had yet to here from Mr. Jacobs as to what had transpired in regards to the public water.

Regarding the sidewalk regulation, the Commission stated that there is no other continuous sidewalk from any town school property to the proposed future development within one mile, and the Commission finds that requiring sidewalks as part of the proposed development would serve no useful purpose.

A motion was made by Mr. Genlot, seconded by Mr. Iadarola, and unanimously voted to waive the sidewalk regulation for Buck Builders LLC's subdivision application #399 for 2 Lots (Kasacek Subdivision) at 87 Billings Road.

- The appraisal on the property has not been completed yet.
- There is no requirement for a ZBA variance – due to 50 foot right of way on Billings Road.
- Updated plans will be presented to the Commission.

Commission consensus was to defer future discussion on this application until the next Planning Commission meeting at which time the staff should have received new plans for review.

-
d. SPECIAL USE PERMIT APPLICATION FOR AGE RESTRICTED HOUSING, ELEANOR ROAD, ELEANOR ROAD, LLC (03/22)

Applicant Steve Riley was present. Corrections needed to be made to the plans for state Department of Public Health review and then resubmitted.

A motion was made by Mr. Genlot, seconded by Mr. Pellissier, and unanimously voted to allow the Town Planner to schedule a public hearing for March 8, 2007 **IF** information was received from the State Department of Public Health. (Ms. Carson would inform the Commission and Mr. Riley if this information was obtained.)

e. 2007/2008 BUDGET

-
 Ms. Carson presented a budget in accordance with past and current development trends, also taking into account what is on the horizon for the next year. She stated to the Commission that each year she is frustrated by the process in which a responsible (and it turns out almost right on the spending mark) budget is presented by the Planning Commission, only to be manipulated and cut back below what has proven to be necessary, even though she generates the appropriate figures needed for the budget to meet the Commission's needs. Mr. Walton stated that he would be willing to address the Selectmen again this year with Ms. Carson on the budget if needed. The Commission had no questions about the presented budget.

A motion was made by Mr. Pellissier, seconded by Mr. Genlot, and unanimously voted to approve the budget as presented and send it to the Board of Selectman.

f. OTHER – There was no other Old Business.

IV. NEW BUSINESS:**a. APPOINT REPRESENTATIVE TO CRCOG REGIONAL PLANNING COMMISSION**

Ms. Carson explained that the Regional Commission meets the third Thursday of each month and that Mr. Collins held the position last year with Mr. Pellissier as Alternate. The Commission deferred until next meeting.

b. OTHER – There was no other New Business.

V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

Ms. Carson handed out a proposed cistern regulation. The Commission requested that she forward it to the Town Attorney and CRCOG for their review and comments. There was discussion of whether this should be an ordinance or regulation. The Commission discussed how this requirement will effect future subdivisions? Mr. Strauss asked how these cisterns would be maintained. Ms. Carson explained that an easement would be given to the town for maintenance which would include making sure that the amount of water contained in the cistern is adequate and that the cap on the cistern is easily removed. These functions are performed by the Fire Department.

Mr. Strauss thought there should be a sample diagram or specifications sheet for a cistern presented to the Commission from the Fire Department, like those used for the street signs or street cross-sections.

VI. STAFF/COMMISSIONER REPORTS

The staff has been busy with the applications on the agenda as well as Phase II of the Geissler's property and another ARH project.

VII. AUDIENCE PARTICIPATION (no comment may be made on agenda items) – There was none.

VIII. CORRESPONDENCE AND BILLS

Bills:

Journal Inquirer	\$212.49 for 11/16/06 meeting and 12/07/06 Public Hearing.
Journal Inquirer	\$47.22 for 12/07/06 meeting.
Journal Inquirer	\$220.36 for 01/11/07 Public Hearing and meeting
Journal Inquirer	\$70.83 for 01/25/07 meeting.

A motion was made by Mr. Pellissier, seconded by Mr. Iadarola, and unanimously voted to approve the bills.

IX. MINUTES APPROVAL: *November 16, 2006, December 7, 2006, January 11, 2007, January 25, 2007*

A motion was made by Mr. Pellissier, seconded by Mr. Genlot, and unanimously voted to approve the meeting minutes of November 16, 2006 as presented.

A motion was made by Mr. Genlot, seconded by Mr. Iadarola, and unanimously voted to approve the meeting minutes of December 7, 2006 as presented.

A motion was made by Mr. Pellissier, seconded by Mr. Genlot, and unanimously voted to approve the meeting minutes of January 11, 2007 with the following corrections:
Under Call to order, replace "Dan Fraro" with "Joe Iadarola".

A motion was made by Mr. Genlot, seconded by Mr. Pellissier, and unanimously voted to approve the meeting minutes of January 25, 2007 as presented.

X. ADJOURNMENT

A motion was made by Mr. Pellissier, seconded by Mr. Iadarola, and unanimously voted to adjourn the January 25, 2007 Planning Commission meeting at 9:25 p.m.

Respectfully submitted,

Jennifer Boudreau
Recording Secretary

Bradley Pellissier
Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.