

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

**PLANNING MINUTES
REGULAR MEETING
THURSDAY, MAY 24, 2007
TOWN HALL 7:00 P.M.**

I. PUBLIC HEARING

Chairman Karl Walton called the public hearing to order at 7:00 p.m. and the legal notice was read.

a. Continuation: Special Use Permit Application for Age Restricted Housing, Eleanor Road, Eleanor Road, LLC

Karen Isherwood from Design Professionals reviewed briefly the application regarding Soapstone Estates for age restricted housing to be located at the end of Eleanor Road. She noted that public water will service the site and will extend from Route 190 along Eleanor Road.

As requested at the previous meeting the sidewalks plans have been revised to include wire mesh reinforcement. She explained that in April the applicant granted an extension to tonight's meeting. Since the last meeting, she was able to meet with Patrice Carson, Steve Jacobs and the State and it has been determined where to best put the septic systems. Three of the systems originally were designed with pump chambers, but Steve Jacobs had requested that no pumps be used. The systems have been redesigned without pumps. At the same time, the positioning of the buildings was modified slightly to put them into better alignment. Written approval has been received from Mr. Jacobs and the State of Connecticut Department of Health.

The need for increased recreation space was also addressed to meet requirements. A preconstruction meeting will be held with the staff.

There were no comments from the audience. A motion was made by Greg Genlot, seconded by Brad Pellissier and unanimously voted to close the public hearing at 7:15 p.m.

b. Resubdivision Application #401, 1 Lot, 70 Scully Road & Turnpike Road, Barnes

The erosion control officer has requested that all erosion control fences be installed prior to any clearing of the site.

The Barnes have written to the state regarding the easement and the driveway. The septic systems have been approved by Steve Jacobs. All the receipts have been received from the notices sent to the neighbors.

Michael Burzynski, 65 Scully Road, expressed concern about the any residual water from the site. The property is very steep and his property is directly opposite the site.

Mr. Walton explained that the applicant has been required to not increase the peak flows of water off of the property and this was one of the factors taken into consideration when developing the plan.

Mr. Strauss commented that if the house that is currently under construction were required to have its rainwater leaders so that they do not pour onto the driveway this would help the situation as well.

A motion was made by Brad Pellissier, seconded by Cliff Bordeaux and unanimously voted to close the hearing at 7:32 p.m.

II. CALL TO ORDER

Chairman Karl Walton called the regular meeting to order at 7:33 p.m. Members Cliff Bordeaux, Greg Genlot, Brad Pellissier and Karl Walton were present and constituted a quorum. Town Planner Patrice Carson and Town Engineer Mervyn Strauss were also present.

III. OLD BUSINESS

a. Discussion/Possible Decision: Special Use Permit Application for Age Restricted Housing, Eleanor Road, Eleanor Road, LLC

Mrs. Carson noted that much time was taken by staff on this project.

After brief discussion, a motion was made by Brad Pellissier, seconded by Greg Genlot and unanimously voted to approve Eleanor Road, LLC's Special Use Permit for a 17-unit Age Restricted Housing project on Eleanor Road, in accordance with the plans known as "Soapstone Estates, Site Plan/Special Use Permit, Eleanor Road, Somers, Connecticut", dated: 09-12-06, 01/31/07, September 20, 2006 & January 8, 2007, Revised: through May 21, 2007, 17 sheets, which is conditional on the following:

1. A \$10,000.00 bond shall be in place prior to the commencement of construction of site improvements.
2. The property is subject to the terms and conditions of the Declaration of Condominium for Soapstone Estates and the Town's Zoning Regulations Article XXIII. All deeds transferring title to the units shall reflect that the units are to be occupied in accordance with the above.
3. Prior to any site work, a pre-construction meeting with the developer, his site engineer and town staff is required.
4. Prior to tree-cutting for the trail, field markers will be placed where the trail will be and reviewed by Town Staff.
5. Prior to the issuance of any permits for the site, the conditions as set forth in the May 24, 2007 letter from the State of Connecticut Department of Public Health shall be met.
6. Prior to the issuance of any Certificate of Occupancy, the developer will provide the town Planning Department with a plan showing the as-built location of each unit including but not limited to decks,

patios, driveway, underground tanks.

7. Once the roadway and improvements are 100% complete or prior to the issuance of the Certificate of Occupancy for the 17th unit, the developer will submit Final As-Built Plans and certification of the improvements in accordance with the approved plans and specifications to the town.

8. Amend the plan profile to smooth the vertical road alignment at Station 5+14.82 as recommended by the Town's Engineering Consultant.

The Planning Commission finds with these conditions the plan meets the requirements of the Somers Zoning Regulations for Age-Restricted Housing.

b. Discussion/Possible Decision: Resubdivision Application #401, 1 Lot, 70 Scully Road and Turnpike Road, Barnes

A motion was made by Greg Genlot, seconded by Cliff Bordeaux and unanimously voted to approve Deborah Barnes' 2-lot resubdivision, application #401, in accordance with the plans known as "Resubdivision Plan Prepared For Deborah A. Barnes, Somers, Connecticut", dated: 01/24/07 & 05/14/07, revised: through 05/24/07, 3 sheets, which is conditional on the following:

1. A note shall be placed on the plans:

"The filing of a \$10,500.00 fee in lieu of open space (\$5,250.00 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 \$150.00 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.

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. The applicant shall obtain a permit from the Department of Transportation for the driveway cut for lot #3-1 (67 Turnpike Road), provide a drainage easement over the same lot, and shall presented a copy of the permit and easement to the Planning Office.

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 lot #3, 70 Scully Road.

8. All silt fence shall be installed prior to land clearing activities.

The Commission waives the requirement in Section 213-11.A.(2) of the Subdivision Regulations which requires the plan to be at a 1"=40' scale map to allow the plan to be shown at 1"=30'.

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

-

c. Subdivision Application #402, 6 Lots, 455 Ninth District Road (North Farm Estates), Bernier

-

Sandy Aeschliman from Aeschliman Land Surveying presented plans for the applicant, briefly reviewing the description of the site given at the last meeting. Based on the comments received at that meeting, the drainage has been changed so that there will be a decrease to the flow into the storm drains. Mr. Aeschliman received a memo from Mr. Strauss this afternoon regarding the drainage from Lots 3 and 4.

John Martucci has said that he will be submitting drainage information to Merv Strauss. Mr. Strauss noted that the plans need to be revised so that Lots 3 and 4 at the end of the cul-de-sac will flow into the storm drainage system and into the detention pond along Ninth District Road to meet the 80% suspended solids requirements. Mr. Aeschliman stated that he has taken care of this and will get copies of the information to staff tomorrow.

Mr. Strauss also noted that the invasive plant species discussed previously are still shown on the plan and they need to be removed and amended. David Askew has asked that stone check dams be used instead of silt fencing. Steve Jacobs has approved the septic systems. Because the driveway on one of the lots is 570 feet long, the applicant will need to speak to Fire Chief Bill Meier to see if a fire turnout will be required.

A motion was made by Cliff Bordeaux, seconded by Brad Pellissier and unanimously voted to set the public hearing for Thursday, June 14, 2007 at 7:00 p.m. in the Town Hall.

-

d. Zoning Referral: Special Use Permit Application for Somers Crossing Phase II, 8 South Road, Somers Crossing, LLC

-

Sandy Aeschliman and Chet Ladd presented plans to the Commissioners. They met with staff on Monday and went over everything in detail. The plan has been amended to make the site more walkable for surrounding area residents. Walkway widths have been increased from 4 feet to 6 feet, sidewalks have been added in places, and cross walks will be painted.

Clapboard siding and peaked roofs will be included on the buildings, with mullions on the windows. Traffic study information will be available to staff tomorrow.

Cliff Bordeaux recused himself from the meeting at this time.

e. Zoning Referral: Special Use Permit Application for Gravel Bank, Egypt Road, Charter

-

Merv Strauss stated that he has checked out this pit commented that all that is left is a deep hole where they are taking gravel from. It is mostly all regraded and refilled. He added that the \$21,600.00 bond estimate is more than adequate.

A motion was made by Brad Pellissier, seconded by Greg Genlot and unanimously voted to recommend to the Zoning Commission approval of Charter's Special Use Permit application for a Gravel Bank on Egypt

Road in accordance with the Town Engineer's comments.

f. Zoning Referral: Special Use Permit Application for Gravel Bank, South Road, Pleasant View Farms Realty

-
Merv Strauss noted that the applicant needs to take steps to address the slope issue and to insure that the pit operates within the scope of the regulations and in a safe manner. Merv stated that protective fencing needs to be installed along the top of the slope before he will consider saying that the pit is acceptable. He added that Ken Smith of B.S.C. Group has a copy of his letter and comments via email.

A motion was made by Brad Pellissier, seconded by Greg Genlot and unanimously voted to recommend to the Zoning Commission **NOT** to approve Pleasant View Farms Realty's Special Use Permit application for a gravel bank on South Road until the applicant remedies the issues with the operation in accordance with the Town Engineer's comments. It was noted that this is the second consecutive year that there has been a safety issue with this pit.

g. Zoning Referral: Special Use Permit Application for Gravel Bank, South Road, Bordeaux

-
Cliff Bordeaux presented updated plans for his gravel bank, noting that work is in the last phase. Currently there is stock piling in Phase 10. The cuts are fairly shallow and there is not much else to be done other than closure. He anticipated everything would be done by now, but the winter was unexpectedly difficult.

Merv Strauss noted that there is a \$24,037.00 bond which is more than adequate.

A motion was made by Greg Genlot, seconded by Brad Pellissier and unanimously voted to recommend to the Zoning Commission approval of Bordeaux Farms' Special Use Permit application for a gravel bank on South Road in accordance with the Town Engineer's comments.

-
Cliff Bordeaux returned to the meeting table at this time.

h. Other

-
A motion was made by Cliff Bordeaux, seconded by Brad Pellissier and unanimously voted to add the following item to the Agenda: **Extension of Time to File Approved Subdivision Mylars With the Town Clerk, Application #397, 23 Lots, Battle Street, KRL Builders, Inc.**

Mrs. Carson explained that the applicant's 90-day period in which to file mylars is coming to an end soon and they are still working on environmental questions.

A motion was made by Brad Pellissier, seconded by Greg Genlot and unanimously voted to approve the applicant's request to extend the time to file a mylar with the Somers Town Clerk for KRL Builders Inc.'s 23-lot subdivision application #397 on Battle Street. This extension is granted for an additional ninety (90) days to August 27, 2007.

IV. NEW BUSINESS**a. Zoning Referral: Special Use Permit Application for Home Occupation for Computer Repair & IT Business, 7 School Street, Diakostavrianos**

Nick Diakostavrianos explained that he is seeking to close his current shop and operate his computer repair and IT business out of his home at 7 School Street. He showed his plans for the office area located in the basement of the home. All computer repair work is expected to be done off site and he will be meeting with the ZEO regarding a sign.

A motion was made by Brad Pellissier, seconded by Greg Genlot and unanimously voted to recommend to the Zoning Commission approval of Diakostavrianos' Special Use Permit application for a home occupation for computer repair and IT business at 7 School Street in accordance with the Plan of Conservation & Development recommendations.

b. Zoning Referral: Special Use Permit Application for Gravel Bank, Stafford/Root/Wood Roads, Wood Gravel Operation LLC

Merv Strauss noted that he has not yet looked at the site because he did not have a plan from the applicant. He received a bond estimate late this afternoon from Joe Russo's Office.

Jay Ussery from J.R. Russo Associates presented plans at the meeting for the pit, but it was noted that staff has not yet had an opportunity to review them.

Mr. Strauss asked Mr. Ussery what is being done to take care of the open vertical face of the pit. Mr. Ussery explained that the working face hasn't changed much from last year. Mr. Strauss noted that if it is still in the same condition it was in last year, then he does not recommend approval because it is unsafe.

Mr. Ussery explained that the floor area of the pit has several stockpile areas that are almost identical to what they were last year. The face area has moved about 50 feet to the south. There has been very little change as far as excavation is concerned. The stone check dams and hay bale check dams have been put in place and \$5,000.00 has been included in the bond amount for their maintenance. The total bond is \$73,056.00.

Mrs. Carson asked about the north side along Stafford Road. Mr. Ussery noted that none of that has been excavated. The area cleared has re-vegetated itself and is fairly stable.

Mr. Strauss will look at the area and report back to the Commission.

c. Zoning Referral: Special Use Permit for Gravel Bank, 164 Hampden Road, Grower Direct Farms

Merv Strauss presented comments he has emailed to the Commissioners. One concern is a steep ledge

area topped with 100-foot tall trees. Another issue is the quality of the pond area. He stated that the pond is very cloudy and has sent Dave Askew and Mike Mocko copies of his comments for review. He is awaiting their response.

Mr. Walton noted the issues of the pond turbidity and cloudiness are greatly reduced compared to what they have been and the Conservation Commission has been following this situation with the help of Mr. Askew and Mr. Mocko.

Mr. Strauss noted that he lacks sufficient information to recommend approval of this operation.

A motion was made by Brad Pellissier, seconded by Greg Genlot, and unanimously voted to recommend to the Zoning Commission **NOT** to approve Grower Direct Farms' Special Use Permit application for a gravel bank at 164 Hampden Road until the applicant remedies the issues with the operation in accordance with the Town Engineer's comments, and the need for further information.

-

d. Discussion: Open Space Appraisal for Resubdivision Application #400, 2-Lots 603 Hall Hill Road & 96 White Oak Road, Richard A. McCullough, Inc.

-

The applicant has contacted staff and asked for more time. This item was tabled until the next meeting.

e. Other

A motion was made by Cliff Bordeaux, seconded by Greg Genlot and unanimously voted to add the following item to the Agenda: **Reconfiguration of Lots 199 and 215 Hampden Road, Map 11, Block 79, Bailey**

-

The Commission reviewed the plans. This represents a first cut to the property. The applicant is proposing putting in a property line separating the lot where the house is from a second house and barn. The application meets requirements and Steve Jacobs has approved it for public health purposes.

A motion was made by Cliff Bordeaux, seconded by Brad Pellissier and unanimously voted to approve the reconfiguration of property of Linda L. & Greg W. Bailey at 199 & 215 Hampden Road, parcels A & B, Map 11 Block 79 as shown on map entitled, "First Cut Boundary Map, Stafford Road & 215 Hampden Road, Prepared For Michael Bernier, Somers, Conn.". Although a new lot is created, this reconfiguration does not constitute a subdivision because this reconfiguration constitutes a first cut of the property.

IV. DISCUSSION: PLAN OF CONSERVATION AND DEVELOPMENT

a. Discussion: New Zoning Regulations for Somersville Center

Mrs. Carson presented copies of the proposed changes to the Zoning Regulations for Somersville Center to the Commissioners for their review and comment.

Mr. Walton noted that these are Zoning Regulations and they will probably be reviewed and changed by

the Zoning Commission and that any in depth discussion would probably be more appropriate after the public hearing.

Cliff Bordeaux spoke of his concern over what happened in East Longmeadow by the rotary when that town dealt with a similar situation. He doesn't want to see this become as restrictive as things became in that instance. Instead, he expressed hope that the situations results in encouragement for the right type of development.

Mrs. Carson strongly suggested that the Commissioners attend the May 31st public hearing at the Somersville Grammar School to get feedback from the public, beginning at 7:00 p.m.

V. STAFF/COMMISSIONER REPORTS

Mrs. Carson reported that staff has been extremely busy with new business.

VI. AUDIENCE PARTICIPATION – There was no audience participation.

VII. CORRESPONDENCE AND BILLS

–
There were no bills.

Notice has been received regarding public hearings to discuss the model Farm Regulation done by CRCOG in accordance with the POCD recommendation.

There will be an awards presentation on June 11, 2007 for Connecticut Main Street at Monaco's Restaurant.

An email was received from Henry Broer regarding Woodcrest and the Senior Center. The Commission asked Ms. Carson to forward it to the Board of Selectmen.

VIII. MINUTES APPROVAL

A motion was made by Cliff Bordeaux, seconded by Brad Pellissier and unanimously voted to approve the minutes of the May 10, 2007 Planning Commission Meeting as written.

IX. ADJOURNMENT

A motion was made by Cliff Bordeaux, seconded by Brad Pellissier and unanimously voted to adjourn the May 24, 2007 Planning Commission meeting at 9:10 p.m.

Respectfully submitted,

Brad Pellissier, Secretary

Robin Timmons, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.