

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

**PLANNING MINUTES  
REGULAR MEETING  
Thursday, November 15, 2007  
7:00 p.m. Town Hall**

**I. CALL TO ORDER**

Chairman Karl Walton called the regular meeting to order at 7:02 p.m. Members Cliff Bordeaux, Greg Genlot, Brad Pellissier, Karl Walton and Alternate member Joe Iadarola (seated for Michelle Hayward) were present and constituted a quorum. Town Planner Patrice Carson was also present.

**II. OLD BUSINESS**

**a. DISCUSSION/POSSIBLE ACTION: CLEAR-CUTTING ON TOWN PROPERTY, FOREST VIEW NORTH TRAIL (MILLER DRIVE)**

The logger and individual responsible for the clear-cutting, Mr. Quirk, wished to informally speak to the Commission and present the history of the above mentioned. The summary of events started with his contracting with the Langone property owners to provide some land clearing. This property was to be cleared for horse pasture and there was no buffer left per request of the landowner. The D'mour and Talcott properties were cleared as well with either contracts drawn or permission granted (the contracts were NOT commercial). Mr. Quirk noted that he researched the subdivision map and noted it read as conveyed – meaning to be owned; adding that he spotted a right-of-way on the maps as well.

Ms. Carson stated that the property in discussion was conveyed to the Town of Somers in 2004 by Mr. Gingras. Mr. Quirk added it was a mistake on his part not to research further. There was some discussion about placement of pins/property markers and whether Mr. Quirk noted where they were located. He responded that there were some that he did find and others that were absent on the property. Mr. Walton stated that when the subdivision was developed, he himself walked the property and confirmed their existence showing their location on the map provided by Ms. Carson which outlined the property in question.

Mr. Quirk stated that the Town's property was not stumped, pulled, or grubbed and that the locus trees are growing back. He said that the affected area is small and he has been in contact with a private forester, Mr. Dan Reynolds, who works for the state in another capacity to clarify the extent of the damaged area and how to restore it. He has also walked the property with First Selectman David Pinney in an effort to explain further his situation and arrive at a mutual agreement to resolve the issue without legal action.

There have been discussions with the Town Staff including the Town Attorney, but there needs to be more discussion, professional opinions, and further research done in order to come to a clear resolution. Mr. Quirk appreciated the opportunity to have an open dialogue with the Commission and mentioned he would keep in contact with the Town Planner to see if there was any further development in regards to rectifying this issue.

*A motion was made by Mr. Pellissier, seconded by Mr. Iadarola and unanimously voted to take the agenda out of order and proceed to NEW BUSINESS.*

### **III. NEW BUSINESS:**

#### **a. ZONING REFERRAL: SPECIAL USE PERMIT APPLICATION FOR HORSES FOR COMMERCIAL PURPOSES, SECTION 214-89.A, 20 PINNEY ROAD, LINDY FARMS**

Similar to the Hurlburt Road layout, this application is a referral from the Zoning Commission and is listed as Commercial due to the amount of horses that will be located on the property. There will be an accessory caretakers three-room unit on the property with a kitchen, bathroom, and bedroom which current regulations allow.

*A motion was made by Mr. Genlot; seconded by Mr. Iadarola and unanimously voted to recommend to the Zoning Commission approval of Lindy Farms Special Use Permit application noting that it is in keeping with the POCD and it's open space objectives in the preservation of managed open space.*

#### **b. ZONING REFERRAL: PROPOSED AMENDMENTS TO THE ZONING REGULATIONS FOR OUTDOOR WOOD BURNING FURNACES**

Ms. Carson distributed a packet of information to the Commission with a summary of the issues, one being environmental air quality. Anyone who is currently utilizing an outdoor wood-burning furnace would be able to continue to do so by the regulations which are presently enforced. But there is a need to add verbiage which outlines specific regulations for their future use.

Commission members thought it would be best to review the information presented and discuss at a later date.

#### **c. RECONFIGURATION OF LOTS, 118 & 120 WATCHAUG ROAD (MAP 10, BLOCK 21, LOTS A-2 & A-1), LAFOUNTAIN & SUNSET PARTNERS OF ELLINGTON LLC**

The applicant has requested that this item be deferred.

#### **d. OTHER – There was no other New Business.**

### **IV. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT – No report.**

**V. STAFF/COMMISSIONER REPORTS** – There was no report.

**VI. AUDIENCE PARTICIPATION** – There was none.

**VII. CORRESPONDENCE AND BILLS**

–  
There were no Bills.

Ms. Carson presented the Commission with a handout entitled *High Ridge Estates Route 186, Somers*. It explained that “A public street will connect Hall Hill Road with McCulloch Drive. The roadway will be served by storm drainage systems that will convey runoff from the subdivision to storm drainage systems located in George Woods Road, Hall Hill Road, and McCulloch Drive. Following completion of construction, and acceptance by Town of Somers, the systems will be maintained by the Town of Somers.” Ms. Carson mentioned to the Commission that this was the first time that this request had been made in writing requesting a sign-off from the both the contractor and First Selectman.

Adding that both she and Mr. Strauss had no concerns with the request as a whole, but the specifics outlined in the *Post- construction Maintenance Schedule* may raise some concern. The initial sweeping of the streets is not an issue, but the cleaning of the catch basins sumps on a yearly basis could be. Currently neither the state nor the Town does this cleaning yearly. What is the complication if the town does not perform the four functions outlined in this area? Is the Town fined? Are funds withheld?

The Commission expressed that they would like to review the source of the language presented. Ms. Carson mentioned that she would like to verify with other towns how they handle state roads within their town with drainage that runs through them.

**VIII. MINUTES APPROVAL: October 25, 2007**

*A motion was made by Mr. Pellissier; seconded by Mr. Iadarola and unanimously voted to approve the meeting minutes for October 25, 2007 as written.*

**II. OLD BUSINESS (cont.):**

**b. OTHER**

*A motion was made by Mr. Pellissier; seconded by Mr. Iadarola and unanimously voted to add to the AGENDA under **OLD BUSINESS: OTHER - EXECUTIVE SESSION**, to discuss legal strategy.*

*At 8:00 p.m., a motion was made by Mr. Pellissier; seconded by Mr. Iadarola and unanimously voted to go into Executive Session to discuss legal strategy and invite both the Town Planner, Patrice Carson, and First Selectman, David Pinney into the Executive Session.*

*At 8:17 p.m., the Commission came out of Executive Session.*

**IX. ADJOURNMENT**

- *A motion was made by Mr. Bordeaux; seconded by Mr. Pellissier and unanimously voted to adjourn the November 15, 2007 Planning Commission meeting at 8:22 p.m.*

- Respectfully submitted,

Jennifer Boudreau  
Recording Secretary

Bradley Pellissier  
Secretary

***MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.***