

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

**PLANNING MINUTES  
REGULAR MEETING  
Thursday, December 6, 2007  
7:00 p.m. Town Hall**

**I. CALL TO ORDER**

Chairman Karl Walton called the regular meeting to order at 7:03 pm. Members Cliff Bordeaux, Greg Genlot, Brad Pellissier and Karl Walton were present and constituted a quorum. Town Planner Patrice Carson and Town Engineer Merv Strauss were also present.

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

**II. NEW BUSINESS**

**a. 8-24 REFERRAL: SUBSTANTIAL IMPROVEMENT OF TOWN PROPERTY, 51 NINTH DISTRICT ROAD, SOMERS PUBLIC LIBRARY, TOWN OF SOMERS**

Tim Welch, chairman of the Library Expansion Building Committee, introduced Project Manager John Wilcox of Tai Soo Kim Architects and Landscape Architect Phil Barlow.

Mr. Barlow discussed the landscape and exterior of the library expansion. He presented a drawing of existing conditions of the library. The building is 10,900 square feet and the parking lot has 46 spaces with one way in and one way out.

He then presented another drawing that showed the proposed changes. Some parking spaces have been displaced by the library addition and more parking is desired, so the parking area was reconfigured. The reconfiguration saves as much of the existing pavement as possible and provides 9 extra parking spaces for a total of 55 spaces. The new curb cut will align with the Middle School and will be two-way in and out.

Storm drainage plans involve three components. Some drainage will be diverted to a rain garden, roof water will go to an underground detention system and any remaining water will go to the existing storm drainage system. The septic system will remain unchanged.

Behind the building will be a courtyard area with benches and a paver walk. There will be an open area in the center to accommodate tents for special events. The lighting plan is in accordance with the dark sky ordinance.

John Wilcox discussed changes to the twenty-year-old library building. The addition will be on the east side of the current library building. The new entrance will be moved so as to center it within the new frontage space. The current mechanical space will remain intact. A new storage room will be added on the east side to provide extra mechanical space when it is needed.

The teen and children's areas will comprise most of the expansion. Glass walls will separate both of these areas from the rest of the library.

Current occupancy of the building is 201 people. The new occupancy will be 411, with 93 spaces in the meeting room and 112 in the children's area.

Brad Pellissier asked if alternate energy source options had been considered. Mr. Barlow said that current building codes requiring more insulation and more control of ventilation were complied with. Also, high-efficiency lighting will be used and insulating curtains will be installed in the tower. However, it would have cost 20% to 30% more to make it a "green" building and the money was not available.

Merv Strauss asked how the parking requirements were determined. Mr. Barlow explained that the site will only allow 55 parking spaces and the Library Board decided this was sufficient. They felt that the surrounding overflow parking across the street and behind the building could be used during peak usage times.

A motion was made by Mr. Pellissier, seconded by Mr. Genlot and unanimously voted to accept the improvements to town property at 51 Ninth District Road for the expansion and renovation of the Somers Public Library and recommend the same to the Board of Selectmen for their approval and Town Meeting, in accordance with the recommendations of the town staff and Section 8-24 of the Connecticut General Statutes. This recommendation is conditioned upon conformance with the comments from the Town Engineer in his letter dated December 4, 2007, and the comments from the Town Sanitarian in his letter dated December 5, 2007. For the purpose of complying with Section 8-24 of the Connecticut General Statutes, this resolution along with the minutes of the Commission's meeting as to this matter shall constitute the Commission's report for this proposal to be duly recorded and transmitted to the Board of Selectmen of the Town of Somers.

**b. RECONFIGURATION OF LOTS 572 & 564 HALL HILL ROAD (MAP 40, BLOCK 03 & MAP 10, BLOCK 11, LOT 01), WILLIAMS & CONKLIN**

Jill Conklin presented a map of the properties in question. She explained that she and Mr. Williams have agreed to an even exchange of property in order to achieve a straight property line.

A motion was made by Mr. Genlot, seconded by Mr. Pellissier, and unanimously voted to approve the reconfiguration of property of Christopher W. Williams & Jill M. Conklin at 572 & 564 Hall Hill Road, Map 40 Block 03 and Map 10 Block 11 Lot 01, as shown on map entitled, "Property Survey Prepared For Christopher W. Williams & Jill M. Conklin, #572 & #564 Hall Hill Road, Somers, Connecticut". This reconfiguration does not constitute a subdivision because no new lot is created.

c. OTHER – There was no other New Business.

### III. OLD BUSINESS

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

Mr. Joe Quirk was in attendance.

The Planning Commissioners hiked the property in question on Saturday, December 1, 2007. The Commissioners agreed that Mr. Quirk's characterization of the area involved was less than what they believed to be involved. They found that several pins could not be located, so an accurate measure of the area could not be determined.

Mr. Quirk stated that Ms. Carson said she would like the original surveyor to replace the pins. Mr. Quirk asked if he could use a metal detector to locate the pins. A discussion ensued as to which pins could or could not be located. Mr. Quirk said that he and First Selectman Pinney attempted to locate a pin in an area that was undisturbed and could not find it. Mr. Pinney said that was untrue and that he did not try to find any pins.

Ms. Carson said that a third party must be hired to make a determination of the disturbed area and what was or was not there. To do this, a clear demarcation of the area must be made and then computations can be made on the size of the area. Mr. Walton explained that Mr. Aeschliman had been suggested to do this because he had done the original plans and would therefore be more economical.

Mr. Quirk asked if the Commission would allow him to obtain cost estimates. Mr. Walton stated that any licensed surveyor who could be deemed impartial by the Commission would be acceptable. He further stated that the Town is trying to avoid a civil case but will not compromise the Town's right to full restitution for the damage that was caused by Mr. Quirk's activity.

Mr. Quirk said that he would present the least cost alternative to having the area marked off at the next Planning meeting or at another time the Commission chooses. Because the next meeting is not until January 10<sup>th</sup> it was requested that Mr. Quirk contact Ms. Carson by December 13, 2007, with his cost estimates and choice of surveyor.

Ms. Carson stated that the surveyor should be told the scope of the project will be:

1. To repin the area for any pins missing or damaged
2. To make interim markings so the property lines can be determined (these would not be permanent markers)
3. To compute the size of the area that has been disturbed

Ms. Carson offered to get a quote from Mr. Aeschliman to do this work. Mr. Quirk declined the offer but intends to contact Mr. Aeschliman himself.

A motion was made by Mr. Pellissier, seconded by Mr. Bordeaux and unanimously voted to take the agenda out of order and proceed to item **II.c**.

c. ZONING REFERRAL: PROPOSED AMENDMENTS TO THE ZONING REGULATIONS FOR OUTDOOR WOOD BURNING FURNACES (OWBF)

Brad Pellissier advocated the furnaces as a way to use a renewable resource and as an economical way to provide energy especially for those on fixed incomes. He does not want to eliminate an alternative for people. Mr. Walton had concerns about the OWBF's impact on neighboring property values.

At this time there are only four known furnaces that are legally permitted in Town. There have been many complaints on one of these furnaces. Current regulation of the furnaces in Somers only pertains to the shed structure that houses the furnace. Emissions cannot be regulated by the Town and must be handled by the DEP.

A motion was made by Mr. Pellisier, seconded by Mr. Bordeaux and unanimously voted to recommend to the Zoning Commission denial of the proposed amendments to the Zoning Regulations to ban outdoor wood burning furnaces with a negative commentary based on concerns for people on fixed incomes, rising oil prices, and the removal of potential alternative heat sources.

d. OTHER – There was no other Old Business.

**IV. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT**

Mr. Walton said that Wetlands Officer, David Askew has agreed to draft an advisory statement to be included with the permits that will warn people who want to clear-cut their property of their culpability. He discussed with Mr. Askew that even if the Town cannot stop logging on personal property, people can be cautioned to consider the consequences of such actions. Vegetation can absorb run-off and without it the run-off could damage neighboring properties. This could result in the logger being sued.

**V. STAFF/COMMISSIONERS REPORTS** – There were none.

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

**VII. CORRESPONDENCE AND BILLS** – There were none.

**VIII. MINUTES APPROVAL: NOVEMBER 15, 2007**

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Item II.a. first paragraph, second sentence reads: The summary of events started with his contracting with the Langone property owners to provide some land clearing.

Correct to read: **Mr. Quirk stated** that the summary of events started with his contracting with the Langone property owners to provide some land clearing.

Same paragraph, last sentence reads: Mr. Quirk noted that he researched the subdivision map and noted it read as conveyed –

Correct to read: Mr. Quirk noted that he researched the **Assessor's** map and noted it read as conveyed –

A motion was made by Mr. Genlot, seconded by Mr. Bordeaux and unanimously voted to approve the minutes of November 15, 2007 as amended.

A motion was made by Mr. Pellissier, seconded by Mr. Genlot and unanimously voted to add approval of the minutes of December 1, 2007 to the agenda.

A motion was made by Mr. Bordeaux, seconded by Mr. Genlot and unanimously voted to approve the minutes of December 1, 2007 as written.

### **III. OLD BUSINESS (cont.)**

#### **b. EXECUTIVE SESSION: LEGAL STRATEGY REGARDING CLEAR-CUTTING ON TOWN PROPERTY, FOREST VIEW NORTH TRAIL (MILLER DRIVE)**

A motion was made by Mr. Pellissier, seconded by Mr. Genlot and unanimously voted to go into Executive Session to discuss legal strategy and to invite Town Planner, Patrice Carson to attend.

At 9:02 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 December 6, 2007 Planning Commission meeting at 9:03 p.m.

Respectfully submitted,

Jeanne Reed  
Recording Secretary

Bradley Pellissier  
Commission Secretary

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