

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

**PLANNING MINUTES
REGULAR MEETING
Thursday, January 10, 2008
7:00 p.m. Town Hall**

I. CALL TO ORDER

Chairman Karl Walton called the meeting to order at 7:03 p.m. Members Cliff Bordeaux, Greg Genlot, Brad Pellissier, Karl Walton and Alternate Joe Iadarola (seated for Michelle Hayward), were present and constituted a quorum. Town Planner Patrice Carson was also present.

II. OLD BUSINESS

A motion was made by Mr. Bordeaux, seconded by Mr. Pellissier and unanimously voted to take the agenda out of order and proceed to item b. Executive Session under OLD BUSINESS.

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

At 7:04 p.m., a motion was made by Mr. Pellissier, seconded by Mr. Genlot and unanimously voted to go into Executive Session to discuss legal strategy regarding clear-cutting on town property on Forest View North Trail (Miller Drive) and invite Town Planner, Patrice Carson and First Selectman, David Pinney to attend.

The Commission returned from Executive Session at 7:16 p.m.

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

A motion was made by Mr. Bordeaux, seconded by Mr. Genlot and unanimously voted that the Planning Commission recommend to the Board of Selectman that they contact the Town Attorney to begin legal proceedings against Mr. Quirk regarding the clear-cutting on town property on Forest View North Trail (Miller Drive) based on the correspondence the Planning Commission has received from Mr. Quirk's attorney, no additional information received from Mr. Quirk, and Mr. Quirk's inaction on the matter.

c. OTHER – There was none.

III. NEW BUSINESS

a. ZONING REFERRAL: APPLICATION FOR ZONE CHANGE FROM A-1 TO I, 225 & 251 FIELD ROAD, SMYTH & AVERY

The Planning Commission reviewed a map of the area. The two individuals which own these properties have applied jointly to turn the remainder of their two properties in the back from residential A-1 into industrial; which would make the entire parcel one zone as opposed to two. Currently there is no development planned, in addition to the zone change.

The Commission inquired about Zoning's position on the application. Ms. Carson stated that the Zoning Commission accepted the application on Monday (January 7, 2008) and referred it to the Planning Commission; adding that the Zoning Commission is required to hold a public hearing on this application.

Between the residential land and the industrial land there would be "full screening" required with no see through with a minimum of a 25-foot buffer zone but may be as great as 50 feet using a fence, or berm.

A motion was made by Mr. Pellissier, seconded by Mr. Iadarola and voted 4 in favor, 0 opposed, 1 abstention (Mr. Bordeaux) to recommend to the Zoning Commission approval of the Zone Change from A-1 to I for 225 and 251 Field Road for Smyth and Avery in keeping with the Plan of Conservation and Development's recommendation to have Zoning lines conform to property lines and further in keeping with the Plan of Conservation and Development's intention to expand industrial and commercial opportunities in the Community.

b. REQUEST FOR BOND REDUCTION, WORK IN STONE CROSSING SUBDIVISION, STAFFORD ROAD, MINK FARM ASSOCIATES

After some discussion, a motion was made by Mr. Genlot, seconded by Mr. Bordeaux and unanimously voted to approve the reduction of Mink Farms Associations' performance bond of \$406,272.00 by \$284,390.00 as permitted by the subdivision regulations to the amount of \$121,882.00 for the Subdivision known as "Stone Crossing Subdivision" on Stafford Road. The Town Engineer has reviewed the construction and agrees with the reduction requested. The reduction of the bond is subject to the presentation of a performance bond to the Planning Office for the reduced amount in the form of Survey, Irrevocable Letter of Credit, or Passbook acceptable to the Town Attorney.

c. 2008/2009 BUDGET

The Commission reviewed and discussed the budget proposal and Training and Conference Plan for 2008/09.

A motion was made by Mr. Pellissier, seconded by Mr. Bordeaux and unanimously voted to send the proposed 2008/2009 Budget to the Treasurer as requested with an affirmative recommendation.

d. ELECTION OF OFFICERS

Currently the Planning Commission officers are Mr. Walton – Chairman, Mr. Bordeaux – Vice-Chairman,

and Mr. Pellissier – Secretary.

A motion was made by Mr. Iadarola, seconded by Mr. Genlot and unanimously voted to keep the current officers for the upcoming year as they are currently filed.

e. **OTHER** – There was none

IV. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

a. REVIEW ACTION STEPS IN POCD

The Commissioners had been asked to review the action steps in the POCD for tonight’s meeting. It was the consensus of the Planning Commission to review and discuss the action steps at the next scheduled Planning Meeting. The Commission should review those labeled as “1’s” or “A’s”, assessing what things on the list have been accomplished, what has been attempted, and those items that are in the process. Also, Mr. Walton noted that it would be best to send a list of items to the appropriate board members, like the Board of Finance or Board of Selectman outlining where we think they stand and where the Planning Commission stands on certain items that involve them as a follow-up. This keeps everyone thinking about the Plan.

Ms. Carson took the opportunity to inform the Planning Commission at this time that the cistern ordinance is now a requirement in the Town of Somers. New subdivisions will be required to have a cistern (or two depending on the number of lots). In addition, she received a notice from the abutting town of Ellington in December which stated that their Open Space dedication requirement will be increased to 20%. Both Simsbury and Granby are currently at 20% as well.

Mr. Walton and the Commission requested on the next agenda that the item **PLAN OF CONSERVATION & DEVELOPMENT** be moved to item II right after **CALL TO ORDER**, which would allow time for active discussion.

V. STAFF/COMMISSIONER REPORTS

Ms. Carson has been working on the Ninth District Road legal notice and the RFQ project now that she has heard from the State DOT. She also gave a presentation to area Commissioners and Planners regarding Open Space grants and explaining how the Town of Somers has been successful in acquiring various grants for obtaining the town’s current Open Space.

She intends to speak with Suffield as well about Farmland Preservation within the next few weeks.

Mr. Walton commented on the Conservation Meeting which took place the evening prior and a conversation he had with Mr. Gary Wysocki, a property owner. Mr. Wysocki stated that he believed that it would be best that when there was an approved subdivision which contained wetlands, that the town ask that it be shown on the deed. Mr. Walton thought that something could be added to the deed along the lines of “the property contains wetlands; and with these wetlands there are certain restrictions on activities

in that section of the property.” Ms. Carson noted that the language would need to be fine-tuned but thought it was a good idea as well. The Commission members agreed.

VI. AUDIENCE PARTICIPATION – There was none

VII. CORRESPONDENCE AND BILLS

A motion was made by Mr. Pellissier, seconded by Mr. Bordeaux and unanimously voted to pay the Journal Inquirer bill of \$125.92 for the meetings of September 27th and October 11th, 2007; \$86.57 for the December 6th, 2007 meeting; and \$309.00 for the Planner APA Yearly Dues.

VIII. MINUTES APPROVAL: December 6, 2007

Correction: Page 3 under IV. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT sentence which reads, “He discussed with Mr. Askew that even of the Town cannot...” be replaced with “He discussed with Mr. Askew that even if the Town cannot **regulate or require a permit for 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 **land owner** being sued.”

A motion was made by Mr. Pellissier, seconded by Mr. Iadarola and unanimously voted to approve the meeting minutes for December 5, 2007 as amended.

IX. ADJOURNMENT

A motion was made by Mr. Bordeaux; seconded by Mr. Iadarola and unanimously voted to adjourn the January 10, 2008 Planning Commission meeting at 8:23 p.m.

Respectfully submitted,
Jennifer Boudreau
Recording Secretary

Bradley Pellissier
Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING