

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

**PLANNING MINUTES  
REGULAR MEETING  
Thursday, January 24, 2008  
7:00 p.m. Town Hall**

**I. CALL TO ORDER**

Members Cliff Bordeaux (arriving 7:20), Greg Genlot, Brad Pellissier, and Alternate Joe Iadarola (seated for Michelle Hayward) were present and constituted a quorum. Town Planner Patrice Carson was also present.

*Secretary, Mr. Pellissier acted as Chairman and called the meeting to order at 7:05 p.m.*

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

The Planning Commission began review of the POCD Implementation Schedule.

***PRESERVE MORE MEANINGFUL OPEN SPACE***

1. ***Increase the mandatory open space “set-aside” to 15% as part of every residential development application:*** This was unsuccessful in the past. Ms. Carson was planning on attending a Public Hearing in Ellington on the topic of Open Space. They are seeking to increase their Open Space land dedication requirement from 10%-20%. With the acquisition of the Whitaker property in Somers, and the amount of Open Space which was taken, there was a positive response. There was a Commission consensus to review once again the Open Space percentage increase in the near future.

2. ***Enhance the Open Space acquisition fund through annual contributions in the budget and/or by bonding to have a more immediate effect:*** A motion was made by Mr. Genlot; seconded by Mr. Iadarola and unanimously voted to request that Chairman Walton write a letter to the Board of Selectman requesting their action on item 2. – the creation of an annual contribution for the acquisition of Open Space and that they consider this line item in the 2008 budget.

3. ***Pursue state and/or federal open space grants:*** The Town Planner has excelled at this and it is an on-going process.

4. ***Convert unprotected and perceived open space into protected open space by acquiring land easements:*** The Town has recently received monies from the State and is moving forward with this item.

5. ***Establish criteria in regulations to allow development flexibility for open space preservation:*** This item is directly linked with #8. ***Amend the regulations allow “open space developments” resulting in a higher percentage of open space by right and require a Special Use Permit from the Planning Commission for “conventional developments” that maximize lot sizes:*** The Commission spoke at great length about these two items. Ms. Carson noted that it would behoove the Commission to view this item from a different perspective, visualize the same lot size but not based on solely on the soil but on the

flexibility of the property and how to arrange the lots and still meet health codes and establishing regulations to just that. If these items could be addressed there would be positive results all around; for the town, the developer, public works department, school bus companies and drainage/erosion issues. The Commission spoke of "Open Space sub divisions" which means taking more open space – having the property connected somehow, i.e., through the front or back of the property. An example of this is the 55 or older Subdivision housing on Shaker Road. After some discussion, it was the consensus of the Commission that a 9-month moratorium on subdivision development may need to be established in order to address this line item properly. The moratorium simply means that no new subdivision applications would be accepted during that time. The discussion continued with Commission consensus that Ms. Carson move forward with starting the process in February for scheduling a Public Hearing. This would place the first Public Hearing in March. The Public Hearing for any Open Space hearings noted above would be set-aside until later.

6. ***Continue to require conservation easements or other measures during approvals:*** This is ongoing and was touched on at the last Conservation Commission meeting as well as brought up at the last Planning Commission meeting on January 10, 2008. To address this line item, there would need to be an additional new standard condition for subdivision developments directly linked to Wetlands.

7. ***Adopt regulations to allow off-site dedication and/or banking of open space:*** This item is linked with #5 & #8 and the suggested moratorium.

8. ***Amend the regulations allow "open space developments" resulting in a higher percentage of open space by right and require a Special Use Permit from the Planning Commission for "conventional developments" that maximize lot sizes:*** Please see item #5.

9. ***Educate residents about benefits of open space donation and sale of development rights:*** This is ongoing with a suggestion of changing the open space percentage from 10-15 or greater. The Commission thought it would be a good idea to have a brief educational segment at the Public Hearing as to why it is beneficial to increase the Open Space percentage.

10. ***Identify and prioritize open space parcels for acquisition:*** Ms. Carson noted that this has been completed.

11. ***Interconnect open spaces into a system of greenways***

12. ***Establish trails along greenways to encourage passive recreation***

13. ***Encourage other organizations to allow for public access and use:*** #11, #12, and #13 are all ongoing for some time – Kibbe Grove Road for example.

## ***PROTECT WATER QUALITY***

1. ***Adopt an Aquifer Protection Zone to allow uses according to their potential risk to water resources protection areas and designate the Zoning Commission as the responsible agency:*** This line item must be looked into and there have been some model regulations outlined by the State of Connecticut, but they have yet to be adopted.

2. ***Require the licensing, and monitoring of residential underground storage tanks:*** The Commission gave this line item a date of summer '09. Ms. Carson did mention that this issue has been monitored and over the last 2 years the requests for underground residential oil tanks has been essentially non-existence.

3. ***Require that the "first flush" of runoff be appropriately treated in terms of quality and rate of runoff:*** State changes and requirements have been addressed and now required by the Planning

Commission, i.e., Stone Crossing.

4. ***Encourage site designs that minimize impervious surfaces, promote infiltration of stormwater, and reduce runoff:*** This also ties in with the regulations for Open Space Subdivisions.
5. ***Continue to provide vegetative buffers to wetland and water courses to filter pollutants and protect them from direct receipt to runoff:*** This issue is for the Conservation Commission.
6. ***Limit the clearing and grading of sites to minimize the impact on natural drainage patterns:*** This issue has not been addressed. The Commission agreed that a buffer should be left around the perimeter by a developer and that developing to the inch of the property line is discouraged. This may also be addressed with the Open Space Subdivision regulations.
7. ***Promote public education programs that address “non-point” pollution issues:*** This is ongoing and is addressed by Mr. David Askew.

### ***PROTECT IMPORTANT NATURAL RESOURCES***

1. ***Adopt soil-based zoning to relate density of development to the capacity of soils to support development:*** There has been an attempt to address this issue and depends on regulation.
2. ***Minimize wildlife habitat loss through the preservation of open space and natural resource areas:*** This has been ongoing with many accomplishments.
3. ***Work with applicants to protect important vernal pools and Natural Diversity Database (NDDDB) resources:*** Done – ongoing.
4. ***Inventory and map vernal pools:*** Ms. Carson noted that she believes there is a map. She will check into this with Mr. Askew.
5. ***Prohibit the introduction of non-native or invasive species during the site development or subdivision process:*** Done

### ***PRESERVE AGRICULTURAL RESOURCES***

1. ***Encourage and assist local farmers in submitting applications for the Connecticut Farmland Preservation Program:*** Ms. Carson noted that she is currently working with a farmer in town to do just this. She figures it would take some time but added that she would keep the Commission up-to-date as to the progress of the application/project. This is not something the town has done before, nor does the town have any money set aside for this. See item # 3 below.
2. ***Continue the farm assessment program (P.A. 490) in order to assist farmers with maintenance of agricultural uses:*** This is still in effect.
3. ***Consider establishing a municipal program for purchase of farm development rights:*** This is a bi-product of item #1 above – Open Space for preservation. This issue needs to come directly from the Board of Selectman and Board of Finance because the monies need to be allocated to purchase farm development rights.
4. ***Work with agricultural land trusts to preserve agricultural land in Somers:*** With the increase of Open Space, there would be tax benefits, increase in property value etc.
5. ***Provide more flexibility to farmers so that farms remain viable and underdeveloped:*** CRCOG – trying to develop a model and is ongoing. The First Selectman and Ms. Carson are supposed to be meeting with the Farmland Trust and she would report when this took place.
6. ***Adopt a “right to farm” policy to protect agricultural uses:*** Board of Selectman action is

needed to allow for the right to allow for more flexibility to farmers as noted in item #5.

### ***PRESERVE HISTORIC RESOURCES***

#1.-8. Items are not the Planning Commission's responsibility, but fall on other Boards and Commissions.

9. ***Adopt a Demolition Delay Ordinance requiring up to 90-day waiting period before historic buildings can be demolished:*** This item was discussed but never passed and the idea of "Historic Significance" was never adopted. Ms. Carson mentioned that she would check with the Board of Selectman for follow-up.

### ***PRESERVE SCENIC RESOURCES***

1. ***Inventory scenic resources and establish policies and regulations to protect them:*** Nothing has been done with this.
2. ***Re-establish a ridgeline protection overlay district:*** Zoning is currently working on this item.
3. ***Review the PA. 490 open space program:*** A meeting with the assessor will take place when and if a moratorium is instituted.
4. ***As scenic roadsides are developed, preserve scenic elements through conservation easements to open space set-asides:*** This would be addressed under the Open Space subdivision preservation.
5. ***The Tree Warden or his/her designee should work with utility companies to preserve scenic streetscapes:*** To be addressed by the Tree Warden, David Pinney.

The Planning Commission members will resume review of the Implementation Schedule beginning at **Guide Appropriate Development** section at the next meeting.

### **III. OLD BUSINESS:**

- a. **OTHER** – There was none.

### **IV. NEW BUSINESS:**

- a. **OTHER** – There was none.

### **V. STAFF/COMMISSIONER REPORTS**

#### **a. PLANNER'S ATTENDANCE AT NATIONAL PLANNING CONFERENCE**

The Town Planner, Ms. Carson is required to meet 32 CM's (which are continuing education credits) each year to keep her Planning Certification. In addition she is now required to complete yearly an Ethics and a Legal class. With attendance at the Regional and National Conferences, these classes are addressed. Ms. Carson offered to pay for her meals and either the flight or the logging. She stated that the Zoning Commission had agreed to pay \$150.00 towards the Conference fee. This amount was the remainder of their Dues and Seminar line item from the budget. The Commission then discussed where the remainder of the money would be taken from in order to pay the remaining balance of the conference. After much discussion, it was Mr. Iadarola who asked why the town did not pay for the full amount of the conference

since this is a requirement of keeping the Town Planner's Planning Certification? How do other Town Planners from surrounding towns pay? Ms. Carson noted that typically each town has policies and allowances in place for such job requirements, including registration fees, travel and lodging, but that the Town of Somers does not. The Commission discussed transferring money from the Town Engineering or Open Space accounts to pay for the entire cost of the Planner's attendance at the National Planning conference. This would include payment of the registration fee, lodging, and meals. The travel should come out of the Town's travel budget.

*A motion was made by Mr. Pellissier; seconded by Mr. Iadarola and unanimously voted to send the Town Planner to the National Planning Conference at the end of April and have the town of Somers pay the tuition and associated costs for the required training for the Town Planner.*

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

**VII. CORRESPONDENCE AND BILLS:** – There was none.

**VIII. MINUTES APPROVAL: January 10, 2008**

*A motion was made by Mr. Iadarola; seconded by Mr. Pellissier and unanimously voted to approve the meeting minutes of January 10, 2008 as written.*

**IX. ADJOURNMENT**

*A motion was made by Mr. Iadarola; seconded by Mr. Pellissier and unanimously voted to adjourn the January 24, 2008 Planning Commission meeting at 8:47 P.M.*

Respectfully submitted,

Jennifer Boudreau  
Recording Secretary

Bradley Pellissier  
Secretary

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