

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

**PLANNING MINUTES
REGULAR MEETING
Thursday, September 11, 2008
7:00 p.m. Town Hall**

I. PUBLIC HEARING

a. CONTINUATION: SUBDIVISION APPLICATION #406, 15-LOTS, 399 FOUR BRIDGES ROAD, SOMERS SUN ESTATES, TWO JS LLC

The Public Hearing was reopened at 7:02 pm.

Sandy Aeschliman of Aeschliman Land Surveying spoke on behalf of the applicant, Jeff Lipton, who was also in attendance.

He stated that at the last meeting there was concern about the angle at which the new Keesog Road would intersect with Four Bridges Road. The applicant has redesigned the intersection to meet at a 90° angle. The other outstanding issue from the last meeting was the bond estimate. The parties have agreed on a revised bond estimate.

Mr. Aeschliman addressed Town Engineer, Mervyn Strauss' review comments of September 10th. He said that all the issues have been addressed and presented a map showing the revisions. The following are the concerns that were discussed at this meeting by Mr. Aeschliman:

1. How would maintenance of the drainage swale near the Simborsky property be funded? Ans: This is a private maintenance easement for the prospective lot owners who will have responsibility for the swale. Very specific wording will be included on the plan filed in the Town Clerk's office regarding the easement. (Mr. Strauss added that the Town has provided a drainage pipe and a catch basin so water from this swale can flow into the Town's system.)
2. Town regulations require the Commission to review for possible approval any block length over 1,200 feet. Mr. Strauss explained the logic of the 1,500-foot length of this block and the Commission concurred.
3. The applicant will present a bond of \$1,300,000.00.
4. To address the concerns of Mr. Strauss in #56 of his review comments, Mr. Lipton has taken ownership of the property across the street. The concern had to do with the exact location of a drainage easement. The location is now described and marked on the plans. Mr. Lipton has provided the Town with an executed warranty deed.
5. Additional details of the gate were shown on the map per Mr. Strauss' request.
6. Quit claim deeds will be given to the Town for the centerline of the road and the new street line. A right to drain will also be granted to the Town for this drainage area where Mr. Lipton now owns both sides of the road.
7. Mr. Strauss' review comment #87 is solved with the new grading plan.
8. The section number of the Somers regulation has been corrected on the plans and the sheet number for the George Wood Road area has been provided.

Ms. Carson reiterated for the record:

1. The Town has possession of the warranty deed and map of the property across the street, which alleviates the need for a third party easement.
2. The Fire Marshall provided a letter stating his approval of the fire hydrant plan. Three hydrants have been added at 400 foot spacing along Keesog Drive.
3. The comments of Mr. Strauss and Ms. Carson have been addressed or can be addressed by condition.

4. The Sanitarian provided a letter stating that the WPCA and the Water Company have approved the proposal. On September 3, 2008, Mr. Jacobs sent a letter stating that he had reviewed the subdivision plans and found that they meet State minimum requirements.

There were no further comments or questions from the Commission or the audience.

A motion was made by Mr. Genlot; seconded by Mr. Sutter and unanimously voted to close the Public Hearing at 7:21 pm.

II. CALL TO ORDER

Chairman Karl Walton called the regular meeting to order at 7:22 pm. Members Karl Walton, Greg Genlot, Joe Iadarola and alternate Scott Sutter (seated for Brad Pellissier) were present and constituted a quorum. Town Planner, Patrice Carson and Engineering Consultant Mervyn Strauss were also present.

III. OLD BUSINESS

a. DISCUSSION/POSSIBLE DECISION: SUBDIVISION APPLICATION #406, 15-LOTS, 399 FOUR BRIDGES ROAD, SOMERS SUN ESTATES, TWO JS LLC

A motion was made by Mr. Sutter; seconded by Mr. Iadarola and unanimously voted to approve Two Js LLC's 15-lot subdivision, application #406, in accordance with the plans known as "Subdivision Plan Somers Sun Estates Prepared For Jeff Lipton, Somers, Conn.", dated: 4-7-08, revised: through 9-5-08, 15 sheets, which is conditional on the following:

1. *A note shall be placed on the plans:
"The filing of a \$30,000.00 fee in lieu of open space (\$2,000.00 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. *A bond for site improvements in the amount of \$1,305,414.00 and in a form acceptable to the Town Attorney shall be filed with the Planning Office as required by Section 213-54.*
3. *A cash bond or passbook bond for erosion and sedimentation controls in the amount of \$5,000.00 shall be filed with the Planning Office prior to any work on site.*
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. *In accordance with Section 213-46. the developer shall install streetlighting as required and approved by the Selectmen.*
7. *"No Parking This Side of Street" signs shall be posted for the entire length of the new road, "Keesog Road" on one side of the street chosen by the Fire Chief prior to installation.*
8. *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 frontage on both sides of Four Bridges Road and George Wood Road owned by the applicant.*
9. *All deeds and easements regarding this property (drainage easement and road frontage conveyance, etc.) must be presented to the Town for approval by the Town Attorney prior to the sale of any lot.*
10. *The applicant shall grant to the Town of Somers the right to drain to the east of the 200-foot square drainage easement shown on sheet #4.*

The Planning Commission finds under section 213-38 D. that the 1,500-foot block length is acceptable based upon the geometry of the tract and the layout of the existing roads.

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

b. RECONFIGURATION OF LOTS, 208 & 242 BILLINGS ROAD, (MAP 02 BLOCK 19 & BLOCK 18), WETHERELL & RUMORE

The Commission reviewed the map and how the lots will be reconfigured after the sale and transfer of the property. This is not a subdivision since no new lot is created.

A motion was made by Mr. Genlot; seconded by Mr. Iadarola and unanimously voted to approve the reconfiguration of property of Ralph L. Wetherell, Jr. & Lorraine M. Wetherell and Steven J. & Renee A. Rumore at 208 & 242 Billings Road, Map 02 Blocks 19 and 18, as shown on map entitled, "Original Survey Map For Parcel 'C' Division on Property of Ralph, Jr. & Lorraine M. Wetherell Located at 208 Billings Road in Somers, Connecticut". This reconfiguration does not constitute a subdivision because no new lot is created.

c. OTHER – There was no other Old Business.

IV. NEW BUSINESS

a. ZONING REFERRAL: SITE PLAN APPLICATION FOR TWO INDUSTRIAL BUILDINGS, 65 SUNSHINE FARMS DRIVE, BARNES

Steve and Debbie Barnes showed a map of their property and explained that they want to erect two metal buildings for storage of their equipment. Mr. Barnes provided a photo of a building with three bay doors that will be similar in design to the proposed buildings.

Mr. Barnes further explained the layout of the buildings on the lot in relation to the residential zone. There will be a stockade fence and plantings of arborvitae to buffer between the properties. There will be no lighting or exit doors on the back of the building so as to not annoy the homeowners. The outdoor lighting will consist of domed fixtures that will direct the light down. The roof drains will go directly into dry wells.

The plans provided by the applicant show the feasibility of access to the property from an alternate entry point. This was included to address the future potential of multiple owners to the property. The Barnes' do not intend to clear this entry nor do they intend to sell any of the property.

A motion was made by Mr. Iadorola; seconded by Mr. Sutter and unanimously voted to recommend to the Zoning Commission approval of Barnes' Site Plan application for two industrial buildings at 65 Sunshine Farms Drive as presented subject to review and approval by Town Consulting Engineer Merv Strauss. The Planning Commission finds that the proposal fits in with the Plan of Conservation and Development in that it uses vacant industrially zoned land to expand industrial usage.

The Commission appreciates that the applicant plans to use interior access even though providing for future access to the other lot.

b. OTHER – There was no New Business.

V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

a. REVIEW OF OPEN SPACE SUBDIVISION REGULATIONS

Ms. Carson reported that the biggest issue in Conservation Subdivisions seems to be applying a "yield plan". It would be helpful to develop a mechanism that was easy to apply and not open to interpretation.

After some discussion, the Commission felt that Ledyard's regulations is particularly relevant to what the Planning Commission has been discussing and the needs of Somers. The Commission asked the Town Planner if she would invite the Ledyard Planner to address the Commission and see if he was willing to do this.

The Commission intends to have a discussion about the various regulations they have reviewed before meeting with Ledyard's Planner.

VI. STAFF/COMMISSIONER REPORTS

Ms. Carson said that the new Zoning Enforcement Officer, Linda Kieft-Robitaille is working out well. She has attended her first CAZEO class.

VII. AUDIENCE PARTICIPATION – There was none.

VIII. CORRESPONDENCE AND BILLS

A memo from Selectman Pinney regarding use of the Town attorney by Town Commissions was discussed. The Board of Selectmen is trying to control Town spending and wants to make sure the attorney is only used when necessary.

There was also a memo regarding a joint meeting between the Planning, Zoning and Economic Development Commissions. The tentative date for the meeting is Monday, October 6, 2008 at 7:30 pm.

The following bills were presented for payment:

Journal Inquirer	June 26 th Decision, July 17 th & August 17 th Public Hearings	\$354.15
Journal Inquirer	August 7 th Meeting	\$55.09

A motion was made by Mr. Iadarola; seconded by Mr. Genlot and unanimously voted to pay the bills.

Ms. Carson also presented the annual agreement for the services of the Inland Wetlands and Erosion Control Officer, David Askew. The agreement was signed by the Chairman.

IX. MINUTES APPROVAL: July 17, 2008 & August 7, 2008

A motion was made by Mr. Sutter; seconded by Mr. Iadarola and unanimously voted to approve the minutes of July 17, 2008 and August 7, 2008 as written.

X. ADJOURNMENT

A motion was made by Mr. Iadarola; seconded by Mr. Sutter and unanimously voted to adjourn the September 11, 2008 meeting of the Planning Commission.

Respectfully submitted,

Jeanne Reed
Recording Secretary

Bradley Pellissier
Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.