

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

**PLANNING MINUTES
REGULAR MEETING
THURSDAY, MAY 28, 2009**

I. CALL TO ORDER

Acting Chairman Greg Genlot called the regular meeting to order at 7:00 pm. Members Cliff Bordeaux, Greg Genlot, Alternate Scott Sutter (seated for Joe Iadarola) and Alternate Bill Salka (seated for Cliff Bordeaux) were present and constituted a quorum. Town Planner, Patrice Carson was also present.

II. OLD BUSINESS

a. SUBDIVISION APPLICATION #407, 3-LOTS, 380 FOUR BRIDGES ROAD (HALL HILL ESTATES), LIPTON – REQUEST FOR EXTENSION OF TIME FOR DECISION

Ms. Carson explained that the original application was formally accepted March 26, 2009 and Mr. Lipton is asking for an extension since the 65 day period is up as of May 28, 2009. Ms. Carson showed the proposed subdivision map and explained what the applicant intends to do. Mr. Lipton provided a letter granting an extension of time until August 4, 2009 to the Planning Commission, allowing more time for review of the plans.

A motion was made by Mr. Pellissier; seconded by Mr. Sutter and unanimously voted to accept the grant of extension for Lipton's 3-lot subdivision application #407 on 380 Four Bridges Road until August 4, 2009 with the last Planning Commission meeting scheduled for July 16, 2009.

b. OTHER – There was no other Old Business.

III. NEW BUSINESS

a. ZONING REFERRAL: MODIFICATION OF SPECIAL USE PERMIT APPLICATION FOR GOLF CENTER: ADD STORAGE BUILDING & SECOND BUILDING WITH TAKE-OUT FOOD SERVICE, 349 MAIN STREET, DRIVING RANGE 349 MAIN STREET, LLC

Tim Coon of J.R. Russo and Associates represented the applicant. He reminded the Commission that last fall the application for the mini-golf course and parking lot were approved. The applicant now plans to move the existing building to another location on the lot to use it for storage. A new larger building will be constructed in its place.

Mr. Coon presented an architectural rendering of this proposed building and described the layout. There will be a food service window with indoor and outdoor seating but no waitress service. There will be a 13½' x 16' video arcade room and two bathrooms. The restaurant is intended to be an accessory use to the recreational mini-golf and driving range.

A septic system and an above ground propane tank will be installed. Arborvitae plantings will conceal the dumpster and propane tank area. The lighting plan is unchanged from the original application. A deferral of construction of some of the parking spaces had been approved last fall. However, the applicant will be constructing all of the parking to accommodate the food service. The applicant would like to keep the facility open as long as the weather permits and is therefore not asking for a seasonal use. The applicant hopes to open in two weeks.

Ms. Carson said that the as-built plan has been received but they are waiting for the bond. Mr. Cafarelli sent in a review of the drainage and gave his approval of the bond amount. Mr. Askew has no additional comment on the structures. Mr. Jacobs has approved the site plan but is awaiting the kitchen plan. The water supply must be approved by the Department of Health before the kitchen/dining permit may be issued.

A motion was made by Mr. Sutter; seconded by Mr. Pellissier and unanimously voted to recommend to the Zoning Commission approval of Driving Range 349 Main Street LLC's application for a storage building and second building for food service at 349 Main Street as an accessory use. The Commission also recommended that since the uses of food service and video arcade were accessory, they should not be open when the golf center driving range and miniature golf are not open.

b. DISCUSSION/POSSIBLE DECISION: EXTENSION OF SPECIAL USE PERMIT APPROVAL FOR AGE RESTRICTED HOUSING, ELEANOR ROAD, ELEANOR ROAD, LLC

To refresh the Commission's memory, Ms. Carson reviewed the approved map for the project and explained the location of the other residential and business properties in the area. This was an approval of an age-restricted housing project. The applicant is asking for a 1-year extension of their original approval until May 24, 2010. Ms. Carson pointed out that this request is not in arrears because that the applicant's letter requesting the extension was into her office by April 21st, however that Planning meeting was cancelled.

A motion was made by Mr. Pellissier seconded by Mr. Sutter and unanimously voted to extend the approval for Eleanor Road LLC's Special Use Permit for an Age Restricted Housing project on Eleanor Road for one year to May 24, 2010 in accordance with Section 214-139 of the Somers Zoning Regulations.

c. ZONING REFERRAL: SPECIAL USE PERMIT APPLICATION FOR GRAVEL BANK, SOUTH ROAD, PLEASANT VIEW FARMS REALTY

The Commission reviewed the plans and the location of the operation. Mr. Cafarelli sent a letter stating that he and the ZEO inspected the site and found little to no gravel removal since last year. There are some remaining stockpiles of gravel and clay at the eastern corner of the property but most of the area has been restored to farming. The applicant wants to begin removing material to the Town of Somers property line. The letter states that the Town will be compensated for material removed from Town property. Zoning Regulations do not allow removal within 100 feet from a property line without written approval from the Zoning Commission. The applicant signed an agreement with the Town on November 18, 1977 allowing mutual removal of the soil. Mr. Cafarelli recommends the Commission to approve the agreement as it would benefit the Town.

The Commission questioned whether a statute of limitations might invalidate this agreement and whether they needed to act on an 8-24 referral request regarding activity on Town property. The map also didn't seem to show the property line where Pleasant View Farms Realty property met Town property. The Commission deferred their recommendation requesting a map showing the proposed excavation, a bond amount and whether Mr. Cafarelli agrees with the amount, and an opinion on whether the agreement was properly approved and if the Commission needs to act on it.

d. ZONING REFERRAL: SPECIAL USE PERMIT APPLICATION FOR GRAVEL OPERATION, SOUTH & EGYPT ROADS, CHARTER

The Commission reviewed the map of the property and the area of operations. Much of the work has been completed and has been planted with corn. There had been previous issues with erosion control.

The Commission deferred approval requesting that the Town Engineer review the operation and the bond estimate.

e. ZONING REFERRAL: SPECIAL USE PERMIT APPLICATION FOR GRAVEL BANK, 164 HAMPDEN ROAD, GROWER DIRECT FARMS

The Commission reviewed the map of the property and the location of the operations. The purpose of the removal was to increase the applicant's outdoor growing area. The work was supposed to be done within two years per the applicant, but this is the third year of the operation. There have been pond pollution and steep slope issues in the past.

The Commission deferred this application as well, requesting the review of the Town Engineer.

f. OTHER – There was no other New Business.

IV. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

The Zoning Commission will be forwarding the proposed Ridgeline Regulations to Planning in the near future. In the next couple of meetings the Commission will consider what to tackle next in the POCD goals. One possibility is updating the open-space section of the plan.

V. STAFF/COMMISSIONER REPORTS – There were none.

VI. AUDIENCE PARTICIPATION – There was none.

VII. CORRESPONDENCE AND BILLS

The following bills were submitted for payment:

Journal Inquirer	May 9, 2009 Meeting	\$62.96
CCAPA	Fall Planning Conference	\$195.00

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

VIII. MINUTES APPROVAL: March 26, 2009 and April 9, 2009

The minutes of March 26, 2009 were unavailable.

A motion was made by Mr. Sutter; seconded by Mr. Genlot and unanimously voted to approve the minutes of April 9, 2009 as amended.

IX. ADJOURNMENT

A motion was made by Mr. Pellissier; seconded by Mr. Salka and unanimously voted to adjourn the May 28, 2009 meeting of the Planning Commission at 7:56pm.

Respectfully submitted,

Jeanne Reed
Recording Secretary

Bradley Pellissier
Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING