

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

**PLANNING MINUTES
REGULAR MEETING
THURSDAY, OCTOBER 22, 2009**

I. CALL TO ORDER

Chairman Brad Pellissier called the regular meeting to order at 7:00 pm. Members Brad Pellissier, Bill Salka, Tom Clark (7:02) and alternates Tim Carravella (seated for Cliff Bordeaux) and Scott Sutter (seated for Greg Genlot) were present and constituted a quorum. Also present: Town Engineer, Bob Cafarelli and Selectman David Pinney

II. PUBLIC HEARING

a. SUBDIVISION APPLICATION #409, 2-LOTS, 700 HALL HILL ROAD, S. PRESTLEY AND HELEN BLAKE

The Public Hearing was continued at 7:02pm. Chairman Pellissier noted for the record that Alternate Mr. Carravella had been present at the last Planning meeting and therefore witness to all those proceedings and authorized to vote regarding this application.

Mr. Cafarelli read the legal notice for the Public Hearing on the Blake application. He provided the Commission with receipts of notification of abutters.

Mr. Cafarelli notified the Commission that the Conservation Commission had convened a special meeting to approve this application. This was the only outstanding issue remaining from the preceding Public Hearing. Mr. Cafarelli provided a memo from Wetland Agent David Askew notifying of the approval without any conditions.

There were no questions or concerns voiced by either the Commissioners or the audience regarding this application.

A motion was made by Mr. Salka; seconded by Mr. Clark and unanimously vote to close the Public Hearing.

III. OLD BUSINESS

a. SUBDIVISION APPLICATION #409, 2-LOTS, 700 HALL HILL ROAD, S. PRESTLEY AND HELEN BLAKE

A motion was made by Mr. Salka; seconded by Mr. Clark and unanimously voted to approve S.Prestley and Helen Blake's 2-lot subdivision, application #409, in accordance with the plans known as "Re-Subdivision, Property/Topographic Survey Showing Proposed Lot, Hall Hill Road, Somers, Connecticut", dated September 15, 2009, revised: through 10/2/09, 3 sheets, which is conditional on the following:

1. *This re-subdivision is exempt from the open space requirements and the requirements for fees in lieu of open space upon the express condition that the subdivider will transfer the created lot to the subdivider's child for no consideration.*
2. *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.*
3. *All appropriate seals and signatures of the design professionals for this plan shall be on the plans.*
4. *All proposed iron pins are to be set prior to the issuance of a Building Permit.*

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

Bill LaPlante represented Mr. Blake and asked how long the review period was and whether the Blake's could begin construction at their own risk once the Building permit is issued. The Commission informed him that the review period is 15 days.

Mr. Pinney asked when the Commission would be signing the official plan. Mr. Pellissier said that this traditionally happens at the next meeting after the plans have been received. Mr. Cafarelli anticipated the plans would be in within 2 weeks. Mr. Pinney offered that the Building permit cannot be issued until these plans have been filed with the Town Clerk. In short, to answer the question for Mr. Blake, construction can commence after the next Planning meeting that is in about 2 weeks.

b. RECONFIGURATION OF LOTS, CONGREGATIONAL CHURCH OF SOMERSVILLE, 22 MAPLE STREET, (MAP 45, BLOCKS 2 & 3-33)

Mr. Cafarelli presented to the Commission a rough plan provided by the applicant. He explained that the applicant will need to submit a parking lot plan to the Zoning Commission.

Mr. Carravella questioned whether any trees would be taken down for this project and was assured that all clearing has already been done. A discussion ensued regarding whether the old road that runs on the property is a Town road of record. Mr. Pinney spoke at length on this topic. It was pointed out that the only abutter to the road is the applicant and there are no third party rights that will be affected by its removal.

Chairman Pellissier had researched the regulations to address questions that were raised regarding the need for a map for a reconfiguration. He did say that for the current situation the drawing submitted is adequate information. However, in a normal configuration between two parties it would be required to have maps showing that both lots will be legal at the time, which has been the past practice. He suggested that in the future the Planning Commission might want to hold a Public Hearing to look at clarifying the language in the regulation as it addressed the need for maps.

Mr. Cafarelli said that this application would again come before this Commission after Zoning has addressed the design of the parking lot, which will include the screening and lighting.

A motion was made by Mr. Salka; seconded by Mr. Carravella and unanimously voted to approve the reconfiguration to combine property of the Congregational Church of Somersville on Maple Street by elimination the 106.96' property line between the lots as shown on the Town's Assessor's Map: Map 45-Block 2 and Map 45-Block 3 Lot 33. This reconfiguration does not constitute a subdivision because no new lot is created.

b. DISCUSSION OF RFP FOR PLANNING CONSULTANT

Selectman Pinney said that the CFO has provided his feedback but the Selectman would like more time to digest the proposal before providing their feedback. They have not yet addressed the proposal but will at their next meeting. This will be done in time for the next Planning meeting.

IV. NEW BUSINESS

a. RECONFIGURATION OF LOT, 23 KIBBE GROVE ROAD, (MAP 11, BLOCK 44, LOT 5)

Mr. Cafarelli displayed the lot map of the properties of Vito Riccio and Mr. & Mrs. Tantillo. Mr. Riccio plans to purchase an area to the rear of his lot that belongs to the Tantillo's. This property is along a stream. Mr. Cafarelli showed the Commissioner where the property was on the map.

Mr. Cafarelli said that the Sanitarian found no leach field and slope issues. He will provide a signed statement stating this.

Mr. Riccio will purchase 1.7 acres and the Tantillo's remaining lot will be 5.723 acres. There will be no change to the frontage on the Tantillo property. The new lots created have a sufficiently large enough contiguous area for the homes on them.

A motion was made by Mr. Sutter; seconded by Mr. Salka and unanimously voted to approve the reconfiguration to combine property of the Richard F. Tantillo Sr. and Dolores D. Tantillo and Vito Antonio Riccio of 23 Kibbe Grove Road and 639 Springfield Road, as shown on map entitled "Property Survey Prepared for Vito A. Riccio Showing Property at 639 Springfield Road, Somers, Connecticut" 2 sheets dated Dec. 3, 2008, revised 8-21-09, subject to the signatures of the Land Surveyor, the Town Sanitarian, and Town Engineer on said Plan. This reconfiguration does not constitute a subdivision because no new lot is created.

b. ZONING REFERRAL: APPLICATION FOR HOME OCCUPATION, 403 MAIN STREET

Mr. Cafarelli provided the applicant's "Statement of Use" and explained that the property is at the intersection of Sokol Road and Route 190. An office approximately 10'X12' in the existing home is proposed. The Commissioners reviewed the site map submitted.

Mr. Hastie, owner of GMH Fence addressed the Commission regarding the application. He said that they would not sell anything or manufacture anything out of this location. It would be a design center. People would come in, meet with his partner, choose a fence style and set up an appointment for a representative to visit their location. Mr. Hastie showed where the sign would be and explained that he had wanted a fencing display in front of the home but was declined this request by the Zoning Commission.

Mr. Hastie explained that he just wants to make it easier for his partner, Mr. Okraska the property owner (who is not well) by relieving him of the need to commute to the East Longmeadow business. With a business location in his home Mr. Okraska could meet with people and sell product from his home office. This is an A-1 residentially zoned area. Mr. Hastie reiterated that nothing would be manufactured at the Somers location.

Mr. Pellissier reviewed the information provided by the applicant:

1. There will be a sign, 2. Hours of operation will be 8:00am to 5:00pm and some evening, 3. One or two customers a day are expected.

The Commission questioned how the applicant determined the number of expected customers. Mr. Hastie stated that this is what he and the Building Inspector had discussed but he could not be certain about this number. Mr. Pellissier explained that in typical home occupations, office visits are controlled by the number of appointments made. However, with this type of design business, the number of customer visits cannot be anticipated. He questioned what a successful draw to this business might do to an already busy and messy intersection. Mr. Hastie said that there was plenty of parking to accommodate at least nine cars. Mr. Cafarelli said that the parking standards would require about 1 or 2 parking spaces for a 120 square foot office. The customer estimate could be based on this information.

Mr. Pinney said that in conversations regarding modification of the intersection it is expected that the lines of traffic will be reduced. The driveways for 403 Main Street and for the firehouse do not line up in the same area so will not cause a problem.

A motion was made by Mr. Clark; seconded by Mr. Salka and unanimously voted to refer the application for home occupation at 403 Main Street back to the Zoning Commission with a positive comment.

c. UPDATE OF PLANNING COMMISSION BY-LAWS

Mr. Pellissier pointed out that the bylaws are scheduled for updating in January. Since it was discovered that the bylaws are inconsistent with the Town Charter it was decided to add this discussion to tonight's agenda. Mr. Pellissier suggested that the Commission review the document and make a draft proposal for the December meeting. This will allow the January vote on the bylaws to be based on informed opinions.

Mr. Pellissier asked Selectman Pinney if he could have the Town attorney and Town Clerk review the bylaws with an eye toward recent legislation with which the bylaws may not comply.

d. DISCUSSION OF 2004 PLAN OF CONSERVATION AND DEVELOPMENT (POCD)

The updated POCD booklets were distributed to the Commissioners. Mr. Pellissier had e-mailed a request to Mr. Cafarelli for a checklist showing what the Commission has accomplished in the POCD so far. Selectman Pinney said that he did not think there was a master list of this kind.

Mr. Pellissier wants to choose two projects from the POCD. One would be for this new group of Planning Commissioners to work on. The other would be a larger issue plan to have the new Planning Consultant work on. He suggested that the Selectman sit ex-offio and give his input in the plans as well.

Mr. Cafarelli was asked to determine what has been completed in the POCD and what remains to be done.

V. STAFF/COMMISSIONER REPORTS

A motion was made by Mr. Salka; seconded by Mr. Carravella and unanimously voted to amend the agenda to add the nomination of Planning Commission Secretary.

Mr. Salka motioned to nominate himself as Secretary and was seconded by Mr. Sutter. The Secretary cast a single vote and elected Mr. Salka as Secretary of the Planning Commission.

Mr. Pellissier added that CROG has approved an updated Regional POCD which can be accessed on their website.

VII. **AUDIENCE PARTICIPATION** - There was none.

VIII. **CORRESPONDENCE AND BILLS** - There were none.

IX. **MINUTES APPROVAL** – October 8, 2009

A motion was made by Mr. Salka; seconded by Mr. Clark and unanimously voted to approve the minutes of the October 24, 2009 meeting of the Planning Commission as written.

X. **ADJOURNMENT**

A motion was made by Mr. Salka; seconded by Mr. Clark and unanimously voted to adjourn the October 22, 2009 meeting of the Planning Commission at 7:55pm.

Respectfully submitted,

Jeanne Reed
Recording Secretary

William Salka
Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING