

**TOWN OF SOMERS
ZONING COMMISSION
MINUTES - REGULAR MEETING
Monday, September 18, 2006
7:00 p.m.
Town Hall Conference Room**

I. Call to Order:

Chairman Rob Martin called the meeting to order at 7:07 p.m. Members present were: Robert Martin, Anita Calder, Lise Wood, Jill Conklin and Wes Smith. Also present was Town Planner Patrice Carson.

II. Interview Design Review Board Candidate:

Ken Albert of 233 Ninth District Road was present and stated that he would be interested in becoming a member of the Design Review Board. He asked about the board's main functions.

He was told that the establishment of a Design Review Board was one of the recommendations of the Plan of Conservation and Development (POCD). The board would deal mainly with commercial and industrial buildings - both new buildings and renovations to existing buildings. Landscaping, lighting, architectural design, parking and signage would be screened to be sure that the items planned would fit into the neighborhood. The meetings would be on an as-needed basis. The Design Review Board would pass their recommendations on to the Zoning and Planning Commissions. One of the first objectives of the board would be to establish their ground rules.

It was the consensus of the Zoning Commission that Ken Albert would be a welcome addition to the Design Review Board and his name will be passed on to the Board of Selectmen for official appointment.

The Commission took a brief recess to read the minutes and correspondence.

III. Minutes Approval: July 24, 2006 and August 23, 2006

Lise Wood made a motion to approve the July 24, 2006 minutes, as written. This motion was seconded by Rob Martin and unanimously approved.

Lise Wood made a motion to approve the August 23, 2006 minutes, as written. This motion was seconded by Anita Calder and unanimously approved.

IV. Old Business:

a. Discussion/Review of Proposed Amendment to the Zoning Regulations for Change in Allowable Building Height

The Town Planner explained that she has met with the Building Official and he said the building code has changed to allow one and two-family residences to be up to 40' high and having three stories. Wes Smith asked about the Fire Department requirements and Lise questioned whether the Fire Department has equipment to handle a 3-story house. After a brief discussion, it was the consensus of the commission that they need to refer to the Board of Selectmen and members of the Fire Department the

proposed amendments to get their input before proceeding with the proposed amendment.

b. Other:

A motion was made by Lise Wood, seconded by Wes Smith and unanimously voted to add to the agenda **Discussion: Worthington Pond Farm.**

Lise stated that the Zoning Commission has not received a copy of the ruling made by the Superior Court in August and therefore does not have the background to proceed with any decisions regarding building activities at Worthington Pond, specifically the use of alcohol and the three site plan applications that the Zoning Commission has approved.

The Town Planner reported that Dan Roulier, developer of Worthington Pond, has requested of the Building Inspector and the Fire Marshal a review of existing permits and certificates of occupancy. They are currently working on this project. Once they have completed this list, it will be determined whether or not additional building permits are required.

Lise expressed concern about underground wiring that has not been inspected as well as an underground propane tank and asked why he has a 1500-gallon grease trap when there are no kitchen facilities. The Town Planner said she thought that when a certain size septic system is installed, then a grease trap is required as well, but she would check with the Town Sanitarian.

The Town Planner said she will supply the Zoning Commission with a detailed account of what is going on at Worthington Pond as soon as it is available.

There was a brief discussion about the new Zoning Enforcement Officer (ZEO) Joy O'Connor. Joy is presently working only on Tuesdays, from 8:30 a.m. until noon. It was the consensus of the Commission that they would like a report from the ZEO to be available at every Zoning meeting. Patrice stated that the new ZEO seems to be working out fine and she does not have a backlog and seems able to keep current with ZEO requirements.

V. New Business:

a. Request for Modification of Special Use Permit Application for Gravel Bank, 164 Hampden Road, Grower Direct Farms

Lise Wood recused herself from this discussion.

The Commission received a written request from Len VanWingerden, owner of Grower Direct Farms, Inc. to revise the hours of operation for his gravel bank from 8:30 a.m. until 5:30 p.m. to 7:30 a.m. until 5:30 p.m. All other gravel banks can begin operation at 7:30 a.m.

After a discussion, it was the consensus of the Commission that Mr. VanWingerden could either abide by his current gravel bank permit and begin gravel operations at 8:30 a.m. or he could apply for a modification of his Special Use Permit to change the start time to 7:30 a.m. which would have to go back to a public hearing before a decision was made.

b. Other: Nothing further was discussed.

VI. Discussion: Plan of Conservation & Development

The Town Planner indicated that this discussion should take place at a future meeting.

VII. Staff/Commissioner Report:

As stated earlier, a report from the ZEO is not available for this meeting. The Town Planner will discuss with the ZEO the preparation of a report for the next Zoning meeting.

VIII. Correspondence and Bills:

A letter was received from H. Roger Steding questioning whether or not a special use permit is required for expansions which are proposed as the principal use of farm property. This letter will be turned over to the ZEO for review. The ZEO did send a certified letter to Grower Direct stating that trucks were using the road earlier than the permitted hours.

Ken Prior's letter will also be turned over to the ZEO for investigation. There was a brief discussion concerning the covered bridge at Worthington Pond and what uses are within the confines of the permit.

A letter was received from Diane Childs requesting that the DOT require a light at the intersection of Chet Ladd's new commercial complex off South Road. She was mainly concerned for the safety of the children attending her school. She was especially concerned about traffic to and from Geissler's Market.

There is a half-day seminar on October 4, 2006 presented by CAZEO, speaker from Robinson & Cole if anyone is interested.

There is a bill from the Journal Inquirer for the public hearing of July 24, 2006 in the amount of \$220.36. Also a bill was received for membership in the Federation of Planning and Zoning Agency for \$30.00.

A motion was made by Lise Wood, seconded by Anita Calder and unanimously voted to pay the bills.

IX. Adjournment:

A motion was made by Lise Wood, seconded by Jill Conklin and unanimously voted to adjourn the September 18, 2006 Zoning Commission meeting at 8:45 p.m.

Respectfully submitted,

A. Calder, Secretary
Connie Careno, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.