

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

**ZONING MINUTES
REGULAR MEETING
November 19, 2007
TOWN HALL**

I. CALL TO ORDER

Vice Chairman Jill Conklin called the regular meeting of the Zoning Commission to order at 7:04 pm. Members present were Jill Conklin, Wes Smith and alternate member Dan Fraro (seated for Blinkie Calder). Town Planner Patrice Carson was also in attendance.

II. INTERVIEW DESIGN REVIEW BOARD CANDIDATES

No candidates were present to be interviewed.

III. MINUTES APPROVAL: October 15, 2007

A motion was made by Dan Fraro, seconded by Wes Smith and unanimously voted to approve the minutes of October 15, 2007 as written.

IV. OLD BUSINESS:

A. Discussion/review of proposed amendments to the zoning regulations for outdoor wood burning furnaces – Schedule public hearing

Ms. Carson distributed a packet of information on outdoor wood burning stoves. Included in the packet was:

1. The proposed amendment to prohibit the OWF in Somers.
2. The South Windsor prohibited use regulation.
3. State statutes for particulate matter and emissions.
4. The state 2005 Public Act concerning OWF's.
5. Another section from the Public Act stating the Town's enforcement prerogative.
6. The state statutes regulating control of odors.
7. A copy of an article explaining OWF's.

She reiterated some of the issues of concern regarding OWF's that had been discussed at the October meeting.

Anyone who currently has a valid permitted OWF would be allowed to use it until they abandoned the use. Until now a Somers resident would need to obtain both a Zoning and a Building permit for the OWF

building.

Ms. Carson has made the required statutory referrals to the neighboring municipalities, Regional Planning Agencies, and Planning Commission. She has also asked for the Town attorney's comments by Monday, November 26th.

A motion was made by Wes Smith, seconded by Dan Fraro and unanimously voted to set a Public Hearing for the purpose of amending the Zoning Regulations regarding prohibiting the use of outdoor wood burning furnaces as defined in Public Act 05-227, and to set the Public Hearing date for December 10, 2007 beginning at 7:00 pm. in the Town Hall.

B. Other

There was a consensus of the commission to change the regular Zoning Commission meeting of December 3rd to a special Zoning Commission meeting on December 10th.

V. NEW BUSINESS:

A. Special use permit application for horses for commercial purposes, section 214-89.A, 20 Pinney Road, Lindy Farms

John Belskie, manager of Lindy Farms, presented the request. They would like to build a structure to house horses with attached living quarters for a caretaker. The structure would be similar to their structure on Hurlburt Road.

Mr. Belskie presented and discussed a map of the proposed site at 20 Pinney Road. The setback of the metal-sided structure will be 150 to 200 feet from the property lines. The applicant intends to build the living quarters over a foundation which will house the hot water and heating mechanicals.

Ms. Carson stated that a Public Hearing is required because this is a Special Use Permit. This application has been discussed and a positive referral has been sent back by the Planning Commission.

A motion was made by Dan Fraro, seconded by Wes Smith and unanimously voted to accept Lindy Farms' Special Use Permit application for horses for commercial purposes under Section 214-89.A. of the Zoning Regulations at 20 Pinney Road and to set the Public Hearing for December 10th at 7:00 pm. The Commission felt this item should be heard first.

B. Other

There was no Other New Business.

VI. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

A. Ridgeline Regulations

At a previous meeting the Commission had asked about how ridgeline regulations are enforced in other Towns. Ms. Carson researched this issue and reported that other towns require plans that show topography lines. If a lot is above the established topographical line the property is subject to the regulations.

Protection of the ridgeline was an action item with a 1 to 3 year priority in the Plan of Conservation & Development Study survey. Ms. Carson gave the Commission a copy of Somers' previous ridgeline regulation for which enforcement was a problem. The Commission will review other Town regulations previously provided to them and the old Somers regulation in preparation for the next meeting.

Ms. Carson laid out a topographical map for the Commission. She pointed out areas on the map that could fall into the regulated area.

There was a discussion on the specific techniques that can be used to measure the visibility of a proposed structure on a ridgeline. The Commission is concerned about unnecessary regulation of areas in higher topographical areas that will not impact the view of the ridgeline. Ms. Carson will research how balloon testing for ridgeline regulation is conducted. Dan Fraro suggested that a company that does this type of testing could have a representative discuss the process with the Commission.

Specific ways to write the regulation were considered and discussed. Ms. Carson will discuss the ridgeline information with Zoning Enforcement Officer Joy O'Connor and ask for her feedback. Other questions to be considered for the regulation are color choices/restrictions and the impact of the regulation on farming. Ms. Carson hopes to have a conference call with a representative from another ridge-protected town during the next Zoning Commission meeting.

VII. STAFF/COMMISSION REPORTS

The Commission received copies of three letters sent out by Joy O'Connor.

VIII. CORRESPONDENCE AND BILLS

The following bills were presented for payment:

Journal Inquirer (September 17th Meeting)..... \$62.96
CAZEO dues for Ms. Carson..... 25.00*

*this includes free entrance into the December 5 CAZEO workshop.

A motion was made by Dan Fraro, seconded by Wes Smith and unanimously voted to pay the bills and to have Ms. Carson attend the free CAZEO workshop on Wednesday, December 5.

IX. ADJOURNMENT

A motion was made by Wes Smith, seconded by Dan Fraro and unanimously voted to adjourn the November 19, 2007 Zoning Commission meeting at 8:05 pm.

Respectfully submitted,

Wesley Smith, Secretary
Recording Secretary

Jeanne Reed,

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING