

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

**ZONING MINUTES
REGULAR MEETING
SEPTEMBER 8, 2008 - 7:00 p.m.
TOWN HALL**

a. EXECUTIVE SESSION: PENDING CLAIMS & LITIGATION, SMYTH VS. ZONING COMMISSION

An Executive Session had been scheduled but did not occur nor was the session rescheduled.

I. CALL TO ORDER

Chairman Rob Martin called the regular meeting of the Zoning Commission to order at 7:02 pm. Members Rob Martin, Jill Conklin and alternate Dan Fraro (seated for Wes Smith) were present and constituted a quorum. Town Planner Patrice Carson was also present.

II. MINUTES APPROVAL: April 7, 2008 (regular meeting) & July 14, 2008

The approval for the minutes of the April 7, 2008 meeting was deferred to the next meeting.

A motion was made by Mr. Fraro; seconded by Ms. Conklin and unanimously voted to approve the minutes of the July 14, 2008 meeting as written.

III. OLD BUSINESS

a. OTHER – There was no other Old Business.

IV. NEW BUSINESS

a. MODIFICATION OF SPECIAL USE PERMIT APPROVAL FOR BOY SCOUT HALL TO CHANGE PLANTINGS, 78 BATTLE STREET, FRIENDS OF SOMERS BOY SCOUTS TROOP 387 INC.

Ms. Carson explained that the original planting plan called for arborvitae to be planted on the west side of the property as a landscaping buffer.

Tim Morello, representing the Boy Scouts, wrote a letter to the Town requesting permission to change the plantings to spruce or white pine planted 8' to 10' apart on center. The abutting property owners have given their approval and would be willing to write a letter to that effect. Mr. Morello cited the following reasons as making spruce or pine preferable: Arborvitae is prone to damage from snow loads, deer eat and damage them and arborvitae do not grow as tall as spruce or pine and therefore will not provide a sufficient screen. The Scouts hope to receive the approval before the fall since this is the best time to plant the proposed species.

Town Engineer, Mr. Strauss, who is also an arborist, believes spruce or white pine would be a preferable buffer. The Commission agreed that Norway spruce and white pine would be two solid choices. It was the consensus of the Commission for the approval to be handled by staff. The Commission recommended that a letter be obtained from the abutting neighbors, the Flannery's, stating their approval.

b. OTHER

A motion was made by Ms. Conklin; seconded by Mr. Fraro and unanimously voted to add to the agenda:

SITE PLAN APPLICATION: TWO INDUSTRIAL BUILDINGS, 65 SUNSHINE FARMS DRIVE, BARNES

Steve and Debbie Barnes presented a map of their property on the corner of Sunshine Farms Road and Egypt Road. They showed where they plan to install the proposed buildings on the property. The buildings will measure 120' X 40' and 100' X 40' and will be used as storage for their equipment. The Barnes' showed the Commission a photograph of a building with three bay doors that they said would be similar to what will be built. They have already received a permit to install a stockade fence along the side of the lot that borders the residential zone. Currently they have white pines planted as a buffer and additional plantings of arborvitae which they intend to extend the length of the residential zoned property line.

The lighting will consist of fixtures covered by domes that direct the light down. There will be no back doors and therefore only need for lighting in the front of the buildings on the residential side.

The Barnes' hope someday to have a landscaped showcase presentation area displaying their stone walls.

A motion was made by Ms. Conklin; seconded by Mr. Fraro and unanimously voted to accept the Barnes' Site Plan application for two industrial buildings at 65 Sunshine Farms Drive and to refer it to the Planning Commission.

Ms. Carson informed the Barnes' that the Planning Commission will review the plans at their meeting on Thursday, September 11th and if approved, they could expect to be scheduled for the next Zoning Commission meeting in two weeks.

The Commission recommended that the Barnes' have their electrician provide them with a lighting plan.

V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

a. RIDGELINE REGULATIONS – REVIEW DRAFT & DISCUSS FORESTER JOE VOBORIL'S COMMENTS

Ms. Carson explained that at a previous meeting Forester, Joe Voboril shared his recommendations for the proposed Somers Ridgeline Regulations. To assist in his presentation he had penciled in deletions and suggested rewording on a copy of the proposed regulation and distributed this to the Commission. The meeting recessed briefly as Ms. Carson made copies of Mr. Voboril's amended regulation.

The meeting resumed as Ms. Carson distributed the copies. Mr. Voboril's suggested changes were reviewed and discussed by the Commission. The former Ridgeline District Regulation was enacted in 1997 and repealed in 2002 because it was hard to enforce. It was recommended by the Plan of Conservation and Development that a new Ridgeline Regulation be enacted.

Steps for formulating the new regulation will need to include:

1. An outline of an overlay district.
2. A determination of obvious view points (Hall Hill, Hurlburt, Pinney, Wood, and Ninth District Roads were offered as examples).
3. A review and decision on the methods that will be used in Somers, for example the balloon method.

The intent of the regulation will be to allow development within the ridgeline that will not create visual "eyesores" but will still allow the property owners to take advantage of their view. Management of the regulation will probably be the joint responsibility of the Town Planner, the Town Engineer and the Zoning Enforcement Officer.

The Commission asked to have the Conservation Commission review the regulation with Mr. Voboril's suggested changes and offer their comments.

Ms. Carson will try to bring an Assessor's map overlaid on a topographical map to the next Zoning meeting.

The Commission would like to schedule time for public participation regarding the Ridgeline Regulation on a future meeting agenda. This would allow for public input in creating the regulation before the Public Hearing.

VI. STAFF/COMMISSIONER REPORTS

Five letters were given to the Zoning Commission that had been sent by Linda Kieft-Robitaille, the Zoning Enforcement Officer, as well as her report for the month of July. The Commission liked report format.

Ms. Carson reported that there have been a number of complaints about emissions coming from an outdoor wood burning furnace that has been in use despite the ban on summer burning.

VII. CORRESPONDENCE AND BILLS

The following bill was presented:

Journal Inquirer July 14, 2008 Public Hearing & Meeting\$369.89

A motion was made by Mr. Fraro; seconded by Ms. Conklin and unanimously voted to pay the bill.

VIII. ADJOURNMENT

A motion was made by Ms. Conklin; seconded by Mr. Fraro and unanimously voted to adjourn the September 8, 2008 Zoning Commission meeting at 8:04 pm.

Respectfully submitted,

Wesley Smith, Secretary

Jeanne Reed, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.