

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

**PLANNING MINUTES
REGULAR MEETING
THURSDAY, SEPTEMBER 24, 2009**

I. PUBLIC HEARING

a. SUBDIVISION APPLICATION #408, 3-LOTS, 145 HIGHLAND VIEW DRIVE, MACCORMACK

The Public Hearing was reconvened at 7:01pm. Bob Cafarelli informed the commission regarding the results of his research. He found that there were no precedent setting cases with the current circumstances. He had been looking for another Somers property where a fee in lieu of open space was paid based on an appraisal and then a re-appraisal subject to the fee was done at a later date.

The Commission discussed the intent of the open space regulation Section 213-30. The regulation was meant to discourage piecemeal subdivisions of large properties in favor of planned communities with a broader scope.

A motion was made by Mr. Genlot; seconded by Mr. Sutter and unanimously voted to open the Public Hearing to audience participation.

Karl Walton of Sunset Drive and former Chairman of the Planning Commission recounted the history of the Highland View property. He said that the \$1,250 per lot was not based on an appraisal and was paid when the property was subdivided in 1989. At that time it was determined that the property's water table was too high to pass the sanitary requirements for more than one home. He pointed out that this fee is not to be paid by MacCormack but will be paid by the purchaser of the improved property much like a closing fee.

Mr. Walton added that a recent state precedent has been set regarding Title 490 land that limits a fee in lieu of open space to only the portion of land that is being subdivided. This addresses concerns raised by Jeff Lipton at a previous Planning meeting.

A motion was made by Mr. Genlot; seconded by Mr. Salka and unanimously voted to close the Public Hearing at 7:17pm.

II. CALL TO ORDER

Vice-Chairman Cliff Bordeaux called the regular meeting to order at 7:17 pm. Members Cliff Bordeaux, Brad Pellissier, Greg Genlot, Bill Salka, Tom Clark and alternates Tim Caravella and Scott Sutter were present and constituted a quorum. Also present: Town Engineer, Bob Cafarelli.

III. OLD BUSINESS

a. SUBDIVISION APPLICATION #408, 3-LOTS, 145 HIGHLAND VIEW DRIVE, MACCORMACK

A motion was made by Mr. Pellissier; seconded by Mr. Genlot and unanimously voted to approve Steven MacCormack's 3-lot subdivision, application #408, in accordance with the plans known as "Subdivision Plan Prepared for Steven MacCormack, Lot 12 Highland View Drive, Somers, Connecticut", dated: June 25, 2009, revised: 8/4/09, 2 sheets, which is conditional on the following:

- 1. A fee in lieu of open space shall be paid to the Town in the amount equal to ten (10%) of the appraised value of the property as determined by Stewart Appraisal. The fee will be split equally among the 3 lots and paid to the Town of Somers upon the sale or transfer of each lot.
The Town of Somers shall also place a notice on the land records to insure payment.*
- 2. The fee for the appraisal for open space shall be paid in full and proof of payment shall be submitted to the planning office.*

3. *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.*
4. *All appropriate seals and signatures of the design professionals for this plan shall be on the plans.*
5. *All proposed iron pins are to be set prior to the issuance of a Building Permit.*
6. *In accordance with section 213-46, the developer shall install street lighting as required and approved by the Selectman.*

b. DISCUSSION ON PROVISIONS FOR PLANNING CONSULTANT

Vice-Chairman Bordeaux provided a communication that included the Commission's thoughts regarding requirements for a Planning Consultant. The Commission reviewed and discussed the proposed RFP, and noted changes to be made. Mr. Bordeaux said that the next step would be to make the changes and then provide the document to the Somers CFO and Town attorney. Before the RFP is released the Commission will need to meet with the BOS to determine how much money will be appropriated for this position.

IV. NEW BUSINESS

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

Mr. Cafarelli provided a lot map and explained that the Blake's would like to subdivide their property into 2 lots to allow their daughter to construct her residence. The applicant is required to go through the whole re-subdivision process because the property had been split at least 6 times since 1953.

The wetlands have been flagged and the report has been submitted to the Wetland's Commission. The perk test has been done and approved by the Sanitarian.

The Commission reviewed and discussed the map with Mr. Cafarelli. There is a jog around a shed on the proposed property line that concerned the Commissioners.

A motion was made by Mr. Genlot; seconded by Mr. Clark and unanimously voted to set the Public Hearing for the Blake's subdivision application #409 for 2-lots at 700 Hall Hill Road on October 8, 2009.

b. PLANNING COMMISSION CONSERVATION REPRESENTATIVE APPOINTMENT

Mr. Cafarelli explained that since Mr. Walton vacated his position on the Conservation Commission as the Planning Commission liaison this position needs to be filled by another Planning Commissioner. Mr. Pellissier added that CIP also needs a Planning Commission representative.

A motion was made by Mr. Pellissier; seconded by Mr. Salka and unanimously voted to merge agenda items IV.b. & V.

V. STAFF/COMMISSIONER REPORTS

As an audience member Mr. Walton explained the requirements to fill the Conservation Commission vacancy. Either an alternate or full Planning Commissioner can fill the position. The Conservation Commission meets once a month on the first Wednesday. Mr. Walton gave some examples of the kinds of issues that come before the Conservation Commission and how they are handled. He pointed out that under statutory law the Conservation Commission cannot render a decision on the night they receive an application; a two-week cooling off period is required. Therefore there are times when a quick special meeting will be called so an applicant does not have to wait until the next month's meeting. Mr. Genlot volunteered to be the Conservation Commission liaison.

Mr. Pellissier explained the CIP liaison position. The Commission reviews all capital purchases for the Town and provides a learning experience on how the Town budget works. The efforts of the Commission are concentrated during the December-January timeframe. They meet about three times a year. Mr. Caravella offered to take on this position.

Vice-Chairman Bordeaux addressed the need to name Planning Commission officers since members have resigned. He offered to continue as Vice-Chairman.

A motion was made by Mr. Genlot; seconded by Mr. Sutter and unanimously voted to nominate Mr. Pellissier as Planning Commission Chairman.

Mr. Bordeaux explained that with the resignation of Mr. Iadarola, Mr. Sutter should have been made a full member based on his senior alternate position. Tom Clark had been appointed as a full member but will switch to an alternate position. The changes will be effective as of the next meeting.

A motion was made by Mr. Pellissier; seconded by Mr. Salka and unanimously voted to nominated Mr. Sutter as Secretary.

A motion was made by Mr. Salka; seconded by Mr. Genlot and unanimously voted to close the nominations and elect the slate with Brad Pellissier as Chairman, Cliff Bordeaux as Vice-Chairman and Scott Sutter as Secretary.

Mr. Cafarelli presented the Application of Mr. Lipton's subdivision to be signed by the Chairman. Mr. Bordeaux noted that the name on the Application was Hall Hill Estates and should be Four Bridges Estates. He corrected this and initialed the changes. The mylars for Mr. Lipton's subdivision were presented for Commission signatures.

Mr. Cafarelli also explained the Somers Sun subdivision has been sold by Mr. Lipton. The new owner would like to change the name of Keesog Road to High Meadows Crossing. The owner will be coming in with a new set of mylars that will reflect this change.

Mr. Cafarelli added that the top course will go on at Aspen Ridge in about three weeks.

VII. AUDIENCE PARTICIPATION - There was none.

VIII. CORRESPONDENCE AND BILLS - There were none.

IX. MINUTES APPROVAL - September 10, 2009

Correction: Page 1, Section II, change **Bob** Salka to **Bill** Salka.

A motion was made by Mr. Genlot; seconded by Mr. Salka and unanimously voted to approve the minutes of September 10, 2009 as amended.

X. ADJOURNMENT

A motion was made by Mr. Sutter; seconded by Mr. Genlot and unanimously voted to adjourn the September 24, 2009 meeting of the Planning Commission at 7:54pm.

Respectfully submitted,

Jeanne Reed
Recording Secretary

Bradley Pellissier
Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING