

TOWN OF SOMERS: ZONING COMMISSION
REGULAR MEETING MINUTES

Tuesday, September 6, 2016
7:00 PM TOWN HALL

I. CALL TO ORDER

Chairman Jill Conklin called the meeting to order at 7:05 p.m. Members present were: Chairman Jill Conklin; Vice Chairman Karl Walton; Paige Rasid; Lucas Cherry; Dan Fraro; Town Attorney Carl Landolina and Staff Liaison to the Zoning Commission John Collins.

II. PUBLIC HEARINGS:

a. Continuation Public Hearing that was opened on July 18, 2016 for the application of Bruce E Wood, 223 Wood Road, Somers, CT to renew Special Use Permit to conduct an earth removal and filling operation at 263 Wood Road, Somers volume 97 pg 173.

Jay Ussery of J.R. Russo Associates, representing Bruce Wood, presented a map of the Gravel Operation as it exists today. It shows areas that have been seeded and areas being mulched to help with the dust erosion. There are approximately 4.5 acres of gravel excavation activity and 10 acres of working area. He addressed issues brought up during the July 18, 2016 meeting as follows:

- 1) Watering: being done 2X/daily unless raining*
- 2) Seeding: he referred to a highlighted area on the site map*
- 3) Bond: as per Town Engineer*
- 4) Seeding: seeding has been started*
- 5) Staff Visits: 2 times this past month*
- 6) Operating Hours: defined in the Zoning Regulations*
- 7) End date of project: not possible to determine due to market conditions*
- 8) Tonnage: not required in regulations.*
- 9) Clean roads: not a perceived problem*
- 10) Power wash residences: not required*
- 11) Report to DEEP: not required*
- 12) Test local wells: not required*
- 13) Arborvitae buffer: pit area not visible due to current site grades*
- 14) Grading: as shown on plan*
- 15) Egress to town/state rd: 1.3 miles+/-*
- 16) Ground water elevation: borings done in 1988 and recent excavations showed ground water well below the 5ft minimum required by the zoning regulations*

Chairman Jill Conklin asked if there was anyone opposed to the application.

Vincent Navin, 244 Root Road came forward against. He presented pictures of dust at his residence and some drone pictures depicting dust as well. He questioned the existence of a crusher on site, the buffer distance to Root Road, and the present topo of the operation. Jill Conklin then asked if there was anyone for the application. The following spoke in favor:

Joe Gosselin

Jim Radowitz

Brian Dusy; 24 Wood Road

Linda Louise LaCasse 87 Main St

Jay Ussery, JR Russo Associates addressed Mr Navin's comments. About Deep non-compliance; DEEP had visited the site recently and requested a tracking pad be installed at exit onto Wood Road. He also felt there was a good plan in place to control dust. Jill Conklin reported that there was a positive referral from the Planning Commission and Town Engineer Jeff Bord confirmed the test hole for water table and mulching taking place on the exposed area around the perimeter. His bond recommendation amount was \$57,800

Karl Walton made a motion to close the Public Hearing on the renewal of Wood Gravel Permit, Lucas Cherry seconded the motion. All were in favor. The Public Hearing was closed at 7:42

b. Application of Hendels, Inc, 35 Great Neck Rd, Waterford, Ct: Construction of a 4000 SF (91'X44') convenience store and filling station with associated parking and utilities

Attorney Leonard Jacobs, representing Hendels, Inc. and speaking for Milone and McBroom Engineering introduced the application for a gas station and convenience store at 589 Main St, Somers, CT. He indicated that it was in a B zone and be subject to approval by the provisions of a Site Plan Approval under the Somers Zoning Regulations.

Darren Overton, an engineer for Milone and McBroom, then presented an overview of the application. Site is a 1.2 acre parcel zoned B and was last used for a bank. There are some wetlands on northerly portion of the site which will be addressed by the Conservation Commission. The site is not part of a public water supply or aquifer. It will include 8 stalls for gasoline, underground fuel tanks and 22 parking spaces. Soil tests have been done for septic design. It will need to conform to Ct DOT standards as it is fronted by 2 state highways. He also gave an overview of storm water controls.

David Sullivan, a traffic engineer for Milone and McBroom then gave an overview of his traffic analysis. Based on a 4000 sq ft store and 8 fuel pumps he estimated about 175 trips per am hours and 205 trips per pm hours. Based on this information he determined that the overall Level of Service for this intersection will not change. He added that there are some DOT improvements for the timing of the lights and for pedestrian crosswalks planned. Atty Carl Landolina asked for a definition of Level of Service. Mr. Overton explained it was the average delay of an intersection, rated with an A through F scale. The peak level of service for the intersection in question is C (35 sec) for morning peaks and D (35-55 sec) for afternoon peaks.

Leonard Jacobs indicated an independent traffic study was required by the Town, but paid by Hendels.

Darren Overton then referred the commission to the Zoning Requirement table shown on the plan. He also noted that the Planning Commission had forwarded a positive recommendation that included an additional crosswalk and sidewalks on the East and West side of Springfield Road. He indicated that the firm has met with the church regarding the fencing and planting proposals as well as deliveries. He indicated that they have addressed their concerns.

Atty Carl Landolina questioned the parking calculation of 1 space per 150 sq ft of building being based on 3350/150 vs 4000/150. The applicant responded that the regs allow the reduction of sq ft of building area for parking calculations by the amount of storage/non-public areas; in this case 650 sq ft. Atty Landolina then asked if it was the standard to include the gas pump stalls in the parking calculations for the store. John Hendel answered that it was. Then there was a question about employee parking. There was one space for one employee provided.

Scott Hesketh, F.A. Hesketh Associates, the independent Traffic Engineer for the Town gave his summary. His analysis of the site improvements proposed would have minor impact to the intersection of the two state highways. His overall opinion of the application was that it included a good traffic study. Atty Landolina asked if changing the exit to RTE 83 from exit only to in/out would have a negative impact. Mr. Hesketh indicated he felt bi-directional traffic will help traffic flow.

At this time Jill Conklin asked for public comments against the application. The following residents spoke against:

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|-------------------------|--------------------|-------------------------|-------------------|
| 1) Fran Golden | 87 Maple Ridge Dr | 8) Robert Chester | 19 Manse Hill |
| 2) Catherine Mashiak | 54 Springfield Rd | 9) John Cutter | 14 Olmstead Manor |
| 3) Sandra Russo | 11 Mallard /circle | 10) Karen Murdoch | 24 Gulf Rd |
| 4) Robert Dwight | 36 Deerfield Rd | 11) Tom Chilicki | 243 Main St |
| 5) Rick Sedenski | Rep Cong Church | 12) Michael Grascetti | 75 Maple Ridge Dr |
| 6) Steve Kazinski | 55 Wells Rd | 13) Jim Shimokis | 63 White Oak Dr |
| 7) Linda Louise LaCasse | 87 Main St | 14) Linda Louse LaCasse | 87 Main St |
| (For Sarah Bollinger | 13 Robert St) | (for Richard Dineen | |

- 15) Letter from Ralph Williams 42 Springfield Rd Read into record by Vice Chair Karl Walton
16) Letter from Lauren Atwood Somers Coop Preschool read into record as well by Mr. Walton

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|--------------------|-------------------|-----------------------|--------------------|
| 17) Jim Radziewitz | 237 Gul) | 21) Linda Ford | (00)Springfield Rd |
| 18) Tom Sherman | 88 Sokol Rd | 22) Tom Chilicki | 243 Main St |
| 19) Sandra Russo | 11 Mallard Circle | 23) Marianne Donerian | 24 Patsun Rd |
| 20) Ralph Petkis | 167 Sokol Rd | 24) Richard Tynan | 48 Michele Dr |

Carl Landolina indicated a lighting plan needs to be submitted and the provisions of 214-15 need to be addressed.

Lucas Cherry made a motion to continue the Public Hearing until September 19, 2016. Karl Walton seconded the motion. The motion passed with a unanimous vote.

III. MINUTES APPROVAL: (July 18, 2016)

Paige Rasid made a motion to approve the minutes as written. Luca Cherry seconded the motion. The minutes were approved with a unanimous vote

IV. OLD BUSINESS:

- a. Discussion/possible decision: Application of Bruce E Wood, 223 Wood Road, Somers, CT to renew Special Use Permit to conduct an earth removal and filling operation at 263 Wood Road, Somers volume 97 pg 173.

Karl Walton made a motion to approve application with the recommendations of the Planning Commission and the Town Engineer. Lucas Cherry seconded the motion. All were in favor: the motion was approved.

- b. Discussion/possible decision: Application of Hendels, Inc, 35 Great Neck Rd, Waterford, Ct: Construction of a 4000 SF (91'X44') convenience store and filling station with associated parking and utilities.

This item was tabled due to the continuation of the Public Hearing

V. NEW BUSINESS:

Application of Cellco Partnership d/b/a Verizon Wireless ("Cellco") for a Special Use Permit for the installation of a wireless telecommunications facility at the Somers Congregational Church at 599 Main Street, Somers, CT. The facility will consist of two (2) antennas and two (2) remote radio heads located inside the Church's bell tower. Equipment associated with the antennas and radio heads would be located inside the Church building.

This application is permitted due to amendments of the Zoning Regulations regarding wireless facilities. Paige Rasid made a motion to accept the application, refer to the Planning Commission, and set a Public Hearing for October 17, 2016. Dan Fraro seconded the motion. All in favor; motion carries.

VI. STAFF/COMMISSION REPORTS

a) PDD regulation public hearing set for September 19, 2016

Due to an apparent conflict with the continuation of the Hendels application on September 19, 2016 Mr. Collins recommended re-scheduling the PDD Public Hearing proposed for the same date. He will contact Glen Chalder.

b) ZEO report

The report from Zoning Enforcement Officer indicates numerous chicken complaints and an illegal auto repair facility at 310 South Road.

Mr. Collins advised the Commission of a conflict with the October 3, 2016 regular meeting date, suggesting it be re-scheduled to October 17, 2016. Karl Walton made a motion to cancel October 3, 2016 meeting and re-schedule it to October 17, 2016. Lucas Cherry seconded the motion. All were in favor; the motion passed.

VII. CORRESPONDENCE AND BILLS

A letter was received from Albert Gelinas, McCulloch Dr. regarding chickens and roosters at several locations in the neighborhood

VIII. ADJOURNMENT

A motion to adjourn was made by Lucas Cherry at. It was seconded by Jill Conklin. All were in favor; the motion passed. The meeting was adjourned at 10:03 PM.

Respectfully Submitted;

John Collins, staff liaison to Zoning Commission

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING