

**TOWN OF SOMERS  
ZONING COMMISSION  
MINUTES - REGULAR MEETING  
Monday, April 2, 2018**

CALL TO ORDER: Meeting was called to order at 6:35p.m. Members present: Jill Conklin, Chairperson, Karl Walton, Dan Fraro, Paige Rasid and Lucas Cherry. Also present: Jennifer Roy, Staff Liaison, and Carl Landolina, Town Attorney.

Paige Rasid made a motion to take the agenda out of order, seconded by Karl Walton, motion carried unanimously.

EXECUTIVE SESSION: Paige Rasid made a motion to enter into executive session, inviting Jennifer Roy and Carl Landolina to join, Karl Walton seconded, all in favor, motion carried. The commission entered executive session at 6:36p.m.

Executive session ended at 6:55p.m. with no votes taken during the session.

OLD BUSINESS: Pending litigation - Hendel's Inc. vs. Somers Zoning Commission

Attorney Landolina addressed the commission, explaining the outstanding issue; the Judge was awaiting a response from the commission as to whether or not the condition of no left turns in or out of either entrance/exit was an integral part of their approving the site plan application.

Paige Rasid began the discussion, stating she felt the issue of traffic was an integral part of her approving the application; and given all the information provided about the difficulties of traffic at that intersection, and that the previous use included right turn only was crucial to her decision, and limiting to right turns only was crucial. Without this condition she would not have approved the application.

Jill Conklin also felt the no left turns was an integral part of her decision; due to the traffic, and the new use as a gas station will be more heavily used than a bank was.

Lucas Cherry commented that he felt the applicant met all the zoning requirements, they provided a report by licensed traffic engineer, and had a third party engineer review the traffic information; the no left turns was not an integral part of his decision to approve the application.

Dan Fraro is in agreement with Lucas Cherry.

Karl Walton made a motion, finding the fact of the condition placed on the approval regarding no left turns was an integral part of the decision to approve the Hendel's Inc. site plan

application. Jill Conklin seconded the motion. Jill Conklin, Karl Walton and Paige Rasid in favor, Lucas Cherry and Dan Fraro opposed. Motion carried.

Attorney Landolina will provide this finding to the Judge, that the majority of the commission members felt the conditions placed were integral to their decision to approve the Hendel's Inc. application.

MINUTES APPROVAL: Karl Walton made a motion to approve the March 5, 2018 and March 19, 2018 minutes, Dan Fraro seconded, Jill Conklin and Lucas Cherry in favor, Paige Rasid abstained, minutes approved as written.

BY-LAW REVIEW: Paige Rasid made a motion to continue with the by-laws as written. Karl Walton seconded, all in favor, motion carried.

OFFICER ELECTION: Dan Fraro made a motion for the current positions to remain; Jill Conklin chairperson, Karl Walton vice-chairman and Lucas Cherry secretary. Paige Rasid seconded, all in favor, motion carried.

ZEO REPORT: Jennifer Roy presented the commission with Zoning Enforcement report for January-March 2018. Several items discussed; including recent complaints received regarding junk vehicles on several properties, new citation ordinance recently enacted by the Board of Selectman, and non-conforming use for 491 South Road/Veterinary clinic.

Also discussed, the CT Siting Council approval of the telecommunications (cell tower) approval for Hall Hill Road location, and a new solar facility approved for Bilton Road location.

ADJOURNMENT: Paige Rasid made a motion to adjourn, Dan Fraro seconded, all in favor, meeting adjourned at 7:47p.m.

***\*\*MINUTES ARE NOT OFFICIAL UNTIL APPROVED A SUBSEQUENT MEETING\*\****