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TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING MINUTES
MONDAY, SEPTEMBER 14, 2020
6:30 PM – TELECONFERENCE

CALL TO ORDER Meeting was called to order at 6:30pm.

Members present: Jill Conklin, Karl Walton, Dan Fraro, Paige Rasid, Lucas Cherry and Bill Shapiro

PUBLIC HEARING:

1. #20-009: Amy Eastman, 40 Hallie Lane, Somers, CT. Pursuant to Article XII Earth removal and Filling, §214-70 Issuance of Special Use permit, applicant is seeking a Special Use Permit to undertake excavation, removal and filling of approximately 9,650 cubic yards and removal of that material to the abutting, conjoined parcel at 42 Hallie Lane.
2. #20-010: Amy Eastman, 40 Hallie Lane, Somers, CT. Zone change from Residential A Zone to Residential A-1 zone for a portion of conjoined parcel at 42 Hallie Lane.
3. #20-011: Amy Eastman, 40 Hallie Lane, Somers, CT. Pursuant to Article XII Earth removal and filling, §214-70 Issuance of Special Use permit, applicant is seeking a Special Use Permit to undertake excavation, removal and filling of approximately 9,650 cubic yards and removal of that material to the abutting, conjoined parcel at 42 Hallie Lane.

Dwight Merriam, Attorney for Amy Eastman, addressed the commission. Attorney Merriam referred to his memo, dated September 10, 2020, submitted to the commission prior to the meeting. Attorney Merriam also mentioned that 42 Hallie Lane is not actually a separate parcel. Regardless of this fact, they will still need both special use permits they are requesting.

Michael Talbot, of O'Reilly, Talbot and Okun spoke, referencing his letter to Dan and Amy Eastman dated September 9, 2020. (Exhibit A)

Jay Ussery, of J. R. Russo, explained the sight line issues and differences between using the driveway on Hallie Lane versus using the easement on Mountain Road. Mr. Russo shared a letter from Bob Butler of ECI (Exhibit B), and a letter from Baystate

Blasting (Exhibit C); both stating they would need to use the access driveway on Mountain Road to get to the Hallie Lane property.

Jennifer Roy read correspondence for the record;

Dawn Karszes, 94 Scully Road, Somers – opposed

Brian and Trisha White, 35 Rosehaven Road, Somers – opposed

Joseph and Linda Robbiati, 167 Mountain Road, Somers; abutters to the access easement on Mountain Road. Letter read for the record. (Exhibit D)

Discussions were held regarding the distance between the access easement and the Clark's property. The floor was opened to the public.

Tom Clark, 175 Mountain Road, Somers – opposed; urged the commission to consider days and hours of operation should they consider approving the special use permits.

Kathy Welch, 168 Mountain Road, Somers – opposed.

Sandy Olearcek, 47 Long Hill Drive, Somers – opposed; requested the commission get an independent Hydrogeologist.

Jennifer Greiger, 24 Amie Lane, Somers – opposed; commented on the report from O'Reilly Talbot and Okun. Urged the commission to require an independent review; and submitted a list of water test results and maps. (Exhibit E)

Vicki Clark, 175 Mountain Road, Somers – opposed. Confirmed that the only water tests were of the residents that were concerned.

Pat Banach, 104 Green Tree Lane, Somers – opposed.

Discussion was held regarding hiring an independent consultant/firm to review the test results and perform further testing of the rock/ledge. This will be at the cost of the applicant per Town of Somers ordinance chapter 114 and Zoning regulation 214-145c.

Joe Figlar, 159 Mountain Road, Somers – opposed. Commented his well is 560' from the work site, he is concerned about his drinking water being affected.

Carl Landolina, Town Attorney explained the work phases that will need to be done, and asked Mr. Ussery to explain the equipment that will need to be trucked on to the property.

Discussions continued regarding testing, equipment, number of day to complete the project. A final draft of DEEP (Dept. of Energy and Environmental Protection) "Guidance document for evaluating potential Hydrogeologic impacts associated with blasting and development activities" was viewed and discussed. (Exhibit F) There is concern for acid rock drainage.

Karl Walton made a motion to hire an independent consultant to perform necessary testing of ledge and review water testing results, at the cost of the applicant, and continue the public hearing to the next regularly scheduled meeting, October 5, 2020 at 6:30pm. Dan Fraro seconded the motion. Commissioners Conklin, Walton, Fraro and Rasid in favor, Cherry opposed. Motion carried 4-1.

OLD BUSINESS: Discussion/Possible Decision - continued to October 5, 2020

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ADJOURNMENT Karl Walton made a motion to adjourn, Paige Rasid seconded. All in favor, meeting adjourned at 9:48pm.