

Town of Somers
Zoning Commission 2023 Meeting Schedule
Meetings are held the first Monday of each month, 6:30p.m.
**with the exception of August and holidays*



January 3, 2023

February 6, 2023

March 6, 2023

April 3, 2023

May 1, 2023

June 5, 2023

July 3, 2023

August-No meeting held

September 5, 2023

October 2, 2023

November 6, 2023

December 4, 2023

First meeting of 2024:
January 2, 2024

TOWN OF SOMERS
ZONING COMMISSION
REGULAR MEETING

****JULY 3, 2023 MEETING IS CANCELLED****

A special meeting is scheduled for Wednesday, July 5, 2023 at 6:30pm.

Questions or concerns should be directed to Jennifer Roy in the Land Use Department
#(860) 763-8220 or jroy@somersct.gov.

TOWN OF SOMERS - ZONING COMMISSION
MEETING AGENDA
Tuesday, January 3, 2023 at 6:30pm
Town Hall, Lower level conference room, 600 Main Street, Somers, CT



I. CALL TO ORDER

II. PUBLIC HEARING

1. Application #22-005 for 531 Somers, LLC, 531 Main Street, Somers seeking a Special Use Permit for Adaptive Re-Use of property located at 531 Main Street in Somers to allow 2 additional apartments for a total of 3 apartments and 3 commercial offices per Somers Zoning Regulations §214-6.7 Adaptive Re-Use; in the A-1 Residential Zone.

III. DISCUSSION/POSSIBLE DECISION

1. Application #22-005 for 531 Somers, LLC, 531 Main Street, Somers seeking a Special Use Permit for Adaptive Re-Use of property located at 531 Main Street in Somers.

IV. CORRESPONDENCE

1. Pre-application meeting request: Tom Carengo, Gingras Development, regarding Section 5 of the Somers Zoning Regulations regarding Special Districts Planned Development District and Detached Housing Development District.

V. MINUTES: December 5, 2022

VI. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.



**TOWN OF SOMERS - ZONING COMMISSION
MEETING MINUTES**

Monday, January 3, 2023 6:30pm – Town Hall, 600 Main Street, Somers, CT

Meeting called to order at 6:33pm. Members present: Jim Formica (chair for the meeting), Dan Fraro, Doug Ferro and Chris Locatelli. Also Jennifer Roy, ZEO Staff Liaison.
Absent: Karl Walton and Shane Manning

PUBLIC HEARING:

Application #22-005 for 531 Somers, LLC, 531 Main Street, Somers seeking a Special Use Permit for Adaptive Re-Use of property located at 531 Main Street in Somers to allow 2 additional apartments for a total of 3 apartments and 3 commercial offices per Somers Zoning Regulations §214-6.7 Adaptive Re-Use; in the A-1 Residential Zone.

Chris Locatelli made a motion to open the public hearing, Dan Fraro seconded, all in favor, motion carried.

Jim Formica explained that at the request of Chairman Karl Walton, the public hearing will be continued to Monday, January 9, 2023 at 6:30pm. Jennifer Roy confirmed that the applicant agreed to the continuation.

Dan Fraro made a motion to continue the public hearing to next Monday, January 9th, Chris Locatelli seconded, all in favor, motion carried.

DISCUSSION/POSSIBLE DECISION – Tabled to January 9, 2023

Application #22-005 for 531 Somers, LLC, 531 Main Street, Somers seeking a Special Use Permit for Adaptive Re-Use of property located at 531 Main Street in Somers.

CORRESPONDENCE – Tabled to January 9, 2023

Pre-application meeting request: Tom Carengo, Gingras Development.

Pre-application meeting request: Scott Sutter, regarding Adaptive re-use regulation and/or mixed use regulations.

MINUTES: December 5, 2022– Tabled to January 9, 2023

ADJOURNMENT Dan Fraro made a motion to adjourn, Chris Locatelli seconded, all in favor, meeting adjourned.

Respectfully submitted,
Jennifer Roy

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

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING AGENDA
Monday, January 9, 2023 at 6:30pm
Town Hall, Lower level conference room, 600 Main Street, Somers, CT



I. CALL TO ORDER

II. PUBLIC HEARING cont'd from 1/3/2023:

1. Application #22-005 for 531 Somers, LLC, 531 Main Street, Somers seeking a Special Use Permit for Adaptive Re-Use of property located at 531 Main Street in Somers to allow 2 additional apartments for a total of 3 apartments and 3 commercial offices per Somers Zoning Regulations §214-6.7 Adaptive Re-Use; in the A-1 Residential Zone.

III. DISCUSSION/POSSIBLE DECISION

1. Application #22-005 for 531 Somers, LLC, 531 Main Street, Somers seeking a Special Use Permit for Adaptive Re-Use of property located at 531 Main Street in Somers.

IV. CORRESPONDENCE

1. Pre-application meeting request: Tom Carengo, Gingras Development, regarding Section 5 of the Somers Zoning Regulations regarding Special Districts Planned Development District and Detached Housing Development District.
2. Pre-application meeting request: Scott Sutter, regarding Adaptive re-use regulation and/or mixed use regulations.

V. MINUTES: December 5, 2022

VI. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.



**TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING MINUTES**

Monday, January 9, 2023 at 6:30pm

Town Hall, Lower level conference room, 600 Main Street, Somers, CT

CALL TO ORDER: 6:30PM Members present: Karl Walton, Dan Fraro, Chris Locatelli, and Shane Manning. Also present: Jennifer Roy, ZEO Staff Liaison. Absent: Jim Formica

Chairman Karl Walton took a moment to recognize the many years of service Jill Conklin has given to the Town of Somers and the Zoning Commission. Jill's term was not renewed at the end of 2022.

Chairman Walton seated Doug Ferro, alternate, for Jim Formica.

PUBLIC HEARING cont'd from 1/3/2023:

Application #22-005 for 531 Somers, LLC, 531 Main Street, Somers seeking a Special Use Permit for Adaptive Re-Use of property located at 531 Main Street in Somers to allow 2 additional apartments for a total of 3 apartments and 3 commercial offices per Somers Zoning Regulations §214-6.7 Adaptive Re-Use; in the A-1 Residential Zone.

Attorney John Parks representing Tom and Lee Anne Madersky. Attorney Parks explained the application, provided a packet of photos, floor plans and property cards, (Exhibit 1). Attorney Parks also provided proof of mailing to the abutters. Attorney Parks pointed out that in the narrative, the black lettering is the regulation, and the red lettering is the applicant's response/comment to each. Attorney Parks believes this application for Adaptive Re-use meets the criteria outlined in the regulations.

Attorney Parks also confirmed that a variance was granted by the Zoning Board of Appeals in November of 2022 to allow 2 lower level apartments. Discussion was held.

Barbara Griffith, 25 Colton Road, Somers – spoke regarding concerns about the site
Tom Madersky, owner 531 Main Street, Somers – answered Ms. Griffith's questions
Ed Moylan, 19 Colton Road, Somers – spoke regarding wetland concerns
Shar Curtis, 527 Main Street, Somers (via speaker phone) – spoke about the concerns he has about the site, the septic, the wetlands and the use. Mr. Curtis presented a narrative and photos, (Exhibit 2).

Attorney Parks addressed the comments Mr. Curtis made about the various issues concerning Mr. Curtis. Tom Madersky added additional comments concerning the wetlands, and also provided some background on the lot line adjustment a few years ago.

Karl Walton called for any other public comments, seeing none, Shane Manning made a motion to close the public hearing, Dan Fraro seconded, all in favor, public hearing closed.



DISCUSSION/POSSIBLE DECISION

Application #22-005 for 531 Somers, LLC, 531 Main Street, Somers seeking a Special Use Permit for Adaptive Re-Use of property located at 531 Main Street in Somers.

A brief discussion was held. Jennifer Roy suggested the commission consider placing a condition is approved, that buffering be provided on the west property line between 531 and 527 Main Street, either fencing or arborvitaes.

Karl Walton made a motion to grant the Special Use permit for Adaptive Re-Use of the property located at 531 Main Street in Somers to allow 2 additional apartments for a total of 3 apartments and 3 commercial offices per Somers Zoning Regulations §214-6.7 Adaptive Re-Use; in the A-1 Residential Zone, with the condition a buffer be installed between 531 and 527 Main Street of either fencing or arborvitaes. Chris Locatelli seconded the motion, all in favor, motion carried.

CORRESPONDENCE

Pre-application meeting request: Tom Careno, Gingras Development, regarding Section 5 of the Somers Zoning Regulations regarding Special Districts Planned Development District and Detached Housing Development District. Jeff Lipton and Tom Careno addressed the commission regarding the possibility of using the Planned Development District on a large parcel of land off of Main Street/Route 190 in Somersville. Discussion was held regarding the possible other avenues for development; Detached Development District, or affordable housing perhaps.

Karl Walton asked both Mr. Lipton and Mr. Careno to narrow down what they'd like to do and return for further discussion.

Pre-application meeting request: Scott Sutter, regarding Adaptive re-use regulation and/or mixed-use regulations. Scott Sutter addressed the commission regarding property he owns at 661 Main Street. A map was provided, and possible uses of each structure were discussed. Discussion was held for different commercial uses; Karl Walton advised it has to meet the regulation. Mr. Sutter thanked the commission for their time.

MINUTES December 5, 2022 - tabled

ADJOURNMENT Shane Manning made a motion to adjourn. Doug Ferro seconded, all in favor, motion carried. Meeting adjourned at 8:15pm.

Respectfully submitted,
Jennifer Roy

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



TOWN OF SOMERS - ZONING COMMISSION
MEETING AGENDA

Monday, February 6, 2023 at 6:30pm

Town Hall, Lower level conference room, 600 Main Street, Somers, CT

I. CALL TO ORDER

II. NEW BUSINESS:

1. Application #23-001: Heather Cunningham, 44 Mill Road, East Longmeadow, MA seeking a Special Use Permit for a dog grooming business at 612 Main Street in Somers, per Somers Zoning Regulations §214-4.3 permitted uses in the Village Business Zone.

III. MINUTES: January 3, 2023 and January 9, 2023

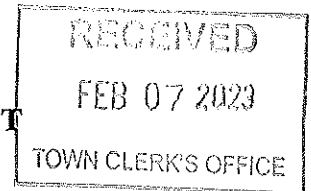
IV. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION

MEETING MINUTES

Monday, 2/6/2023 6:30pm – Town Hall, 600 Main Street, Somers, CT



CALL TO ORDER 6:30pm, members present: Karl Walton, Dan Fraro, and Doug Ferro. Also present Jennifer Roy, ZEO, Staff Liaison.

Absent: Jim Formica, Chris Locatelli and Shane Manning

NEW BUSINESS

1. Application #23-001: Heather Cunningham, 44 Mill Road, East Longmeadow, MA seeking a Special Use Permit for a dog grooming business at 612 Main Street in Somers, per Somers Zoning Regulations §214-4.3 permitted uses in the Village Business Zone.

Jennifer Roy provided an explanation to the commission about the application. Ms. Roy explained that a tentative site plan is included showing the current parking, and an official site plan is being prepared. The site plan will be available at the public hearing, should the commission receive the application and schedule a public hearing.

Heather Cunningham addressed the commission on her application. This is for a small dog grooming business, that will consist of herself, and maybe one employee. Brief discussion was held.

Doug Ferro made a motion to accept the application, refer to the Planning Commission, and schedule a public hearing for Wednesday, February 22, 2023 at 6:30pm. Dan Fraro seconded, all in favor, motion carried.

MINUTES: January 3, 2023 and January 9, 2023. Doug Ferro made a motion to accept the January 3 and 9th minutes as written. Dan Farro seconded, all in favor, motion carried.

ADJOURNMENT: Dan Fraro made a motion to adjourn, Doug Ferro seconded, all in favor motion carried. Meeting adjourned at 6:45pm.

Respectfully submitted,
Jennifer Roy

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



TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING AGENDA

Wednesday, February 22, 2023 at 6:30pm

Town Hall, Lower level conference room, 600 Main Street, Somers, CT

I. CALL TO ORDER

II. PUBLIC HEARING:

1. Application #23-001: Heather Cunningham, 44 Mill Road, East Longmeadow, MA seeking a Special Use Permit for a dog grooming business at 612 Main Street in Somers, per Somers Zoning Regulations §214-4.3 permitted uses in the Village Business Zone.

III. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING MINUTES
Wednesday, February 22, 2023, 6:30pm – Town Hall, 600 Main Street, Somers, CT



CALL TO ORDER 6:30pm, members present: Karl Walton, Dan Fraro, and Shane Manning
Also present Jennifer Roy, ZEO, Staff Liaison.

Absent: Jim Formica, Chris Locatelli and Doug Ferro

PUBLIC HEARING

1. Application #23-001: Heather Cunningham, 44 Mill Road, East Longmeadow, MA seeking a Special Use Permit for a dog grooming business at 612 Main Street in Somers, per Somers Zoning Regulations §214-4.3 permitted uses in the Village Business Zone.

Jennifer Roy provided an explanation to the commission about the application. Ms. Roy explained that a site plan has been received for the parking. Ms. Roy further explained that there is some outstanding information the Sanitarian needs in order to provide any final approval. Should the commission move to approve this special use permit, it is suggested that a condition be placed on the approval that Health Department approval is required.

Ms. Roy also confirmed a positive referral has been received from the Planning Commission.

Heather Cunningham addressed the commission on her application. This is for a small dog grooming business, that will consist of herself, and maybe one employee. A brief discussion was held.

No one present from the public to speak, and no written correspondence received. Dan Fraro made a motion to close the public hearing, Shane Manning seconded, all in favor, motion carried.

Shane Manning made a motion to approve application #23-001 of Heather Cunningham for a dog grooming business at 612 Main Street; with the condition of final Health Department/Sanitarian approval. Dan Fraro seconded, all in favor, motion carried.

ADJOURNMENT: Dan Fraro made a motion to adjourn, Shane Manning seconded, all in favor motion carried. Meeting adjourned at 6:45pm.

Respectfully submitted,
Jennifer Roy

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



TOWN OF SOMERS - ZONING COMMISSION
MEETING AGENDA

Monday, March 6, 2023 at 6:30pm

Town Hall, Lower level conference room, 600 Main Street, Somers, CT

I. CALL TO ORDER

II. NEW BUSINESS:

1. Application #23-002: Hillsdale College, 732 Hall Hill Road, Somers seeking a modification of the Special Use permit for operation of a religious institution, amending the conditions of approval regarding recreational use, restrictions placed on events, and possible additional events; per section 214-9.

III. MINUTES: February 6, 2023 and February 22, 2023

IV. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION
MEETING MINUTES
Monday, March 6, 2023, 6:30pm



CALL TO ORDER 6:30pm, members present: Jim Formica, Chris Locatelli, Doug Ferro, Dan Fraro, and Howie Coro Also present Jennifer Roy, ZEO, Staff Liaison.

Absent: Karl Walton and Shane Manning

NEW BUSINESS:

1. Application #23-002: Hillsdale College, 732 Hall Hill Road, Somers seeking a modification of the Special Use permit for operation of a religious institution, amending the conditions of approval regarding recreational use, restrictions placed on events, and possible additional events; per section 214-9.

Attorney George Schober was present representing Hillsdale College. Attorney Schober gave the commission some background on how Hilldale College came to Somers, and how the original Special Use permit came to be. Also present was Labin Duke, Director of the Somers Hillsdale College location.

Discussions were held regarding the various events permitted under the Special Use permit, how these events have been handled, including parking, guests, etc.

Jennifer Roy confirmed that there have been no complaints from any of the neighbors in the past 3 years that Hillsdale has been hosting various events. Ms. Roy asked that Attorney Schober provide a list stating which of the 15 conditions he would like to amend/consolidate.

Discussions continued. Jim Formica made a motion to accept the application, refer to the Planning Commission, and schedule a public hearing for April 3, 2023 at 6:30pm. Doug Ferro seconded, all in favor, motion carried.

MINUTES: February 6, 2023, and February 22, 2023. Doug Ferro made a motion to approve the minutes as written, Dan Fraro seconded. Commissioners Ferro, Fraro and Locatelli in favor, Formica and Coro abstained, motion carried.

ADJOURNMENT: Jim Formica made a motion to adjourn, Doug Ferro seconded, all in favor motion carried. Meeting adjourned at 7:15pm.

Respectfully submitted,
Jennifer Roy



TOWN OF SOMERS - ZONING COMMISSION
MEETING AGENDA

Monday, April 3, 2023 at 6:30pm

Town Hall, Lower level conference room, 600 Main Street, Somers, CT

I. CALL TO ORDER

II. PUBLIC HEARING:

1. Application #23-002: Hillsdale College, 732 Hall Hill Road, Somers seeking a modification of the Special Use permit for operation of a religious institution, amending the conditions of approval regarding recreational use, restrictions placed on events, and possible additional events; per section 214-9.

III. DISCUSSION/POSSIBLE DECISION:

1. Application #23-002: Hillsdale College, 732 Hall Hill Road, Somers

IV. MINUTES: March 6, 2023

V. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION
MEETING MINUTES
Monday, April 3, 2023, 6:30pm



CALL TO ORDER 6:30pm, members present: Jim Formica, Chris Locatelli, Dan Fraro, and Howie Coro Also present Jennifer Roy, ZEO, Staff Liaison. Howie Coro is seated for Karl Walton

Absent: Karl Walton, Doug Ferro and Shane Manning

PUBLIC HEARING:

1. Application #23-002: Hillsdale College, 732 Hall Hill Road, Somers seeking a modification of the Special Use permit for operation of a religious institution, amending the conditions of approval regarding recreational use, restrictions placed on events, and possible additional events; per section 214-9.

Dan Fraro made a motion to open the public hearing, Chris Locatelli seconded, all in favor, motion carried.

Attorney George Schober was present representing Hillsdale College. Attorney Schober gave the commission some background on how Hillsdale College Blake Center came to Somers, and how the original Special Use permit came to be. Also present was Labin Duke, Director of the Somers Hillsdale College location. Attorney Schober submitted an annual events brochure for the record (exhibit 1); along with the original special use permit including conditions (exhibit 2).

Attorney Schober explained each of the 5 requests to the commission. Discussions were held regarding what Hillsdale College has done over the past year since the pandemic has passed. Labin Duke explained that the most people they can realistically fit for inside event, seminars and lectures would be 75 people. Mr. Duke further explained that some of the lectures that might have been listed as 4 days may work better for 2 days in the future.

Mr. Duke explained the procedure for those residents that would like to hike the trails; they must obtain a "pass". Boulders have been placed at the trail entrance so as to prevent ATV's from going on the trails.

Public comment:

First Selectman Tim Keeney, 57 Maple Street, Somers – in favor

Tom Skypec, 6 Winwood Circle, Somers – in favor

Ed Giza, 17 Hallie Lane, Somers – in favor

Patrick Mahon, 531 Hall Hill Road, Somers – in favor

Paul Salva, 17 Twinbrook Drive, Somers – in favor

Stu Rosenberg, Former President of Johnson Memorial Hospital Board of Directors – in favor

Dave Marti, 50 Springfield Road, Somers – in favor

John Bernie, 341 Watchaug Road, Somers – in favor
Jim O’Hearn, 22 Green Tree Lane, Somers – in favor
Samantha Mozdzanowski, 7 Meadowbrook Drive, Somers – in favor
Krystle Monticue, 119 Colton Road, Somers – in favor
Eric Young, 15 Rye Hill Circle, Somers – opposed
Mallory Duke, 708 Hall Hill Road – in favor
John Papale, 22 Bridle Path Drive, Somers -in favor

Jennifer Roy read written correspondence into the record:

Diane McAndrews, West Hartford – email received in favor
David Andrews, Falmouth Maine – email received in favor
Gerald and Michelle Tarbox, 2 Meadowbrook Road, Somers – letter received listing some concerns they have about restrictions.

Mr. Duke addressed the concerns the Tarboxs shared. Discussion was held.

Attorney Schober gave a closing statement to the commission. He reviewed the requirements in section 9.4E of the Zoning Regulations, and addressed how they have met each one.

Chris Locatelli made a motion to close the public hearing, Howie Coro seconded, all in favor, motion carried.

A brief discussion was held among the commission members.

Chris Locatelli made a motion to approve application #23-002: Hillsdale College, 732 Hall Hill Road, Somers seeking a modification of the Special Use permit for operation of a religious institution, amending the conditions of approval regarding recreational use, restrictions placed on events, and possible additional events; per section 214-9, with the following amendment to conditions:

1. Modification of SUP Condition of Approval 3. Allow Hillsdale College to permit recreational usage by local cross-country teams, the annual Somers Rotary Fishing Derby, and similar types of usage of the Property by eliminating the restriction on the number of individuals who may be on the Property at any one time for passive recreational purposes.
2. Modification of SUP Conditions of Approval 9, 10, 11, 12, 13. Given the lack of disruption to the neighborhood from the hosting of annual seminars and college events that Hillsdale College holds, eliminate the restriction on the number of annual seminars and college events Hillsdale College may hold.
3. Modification of SUP Conditions of Approval 9, 12, 13. Similarly, given the orderly fashion in which seminars and events have been conducted and given the size of the facilities, increase the number of permitted attendees at seminars and events to 75 attendees per seminar and/or event.
4. Allow Hillsdale College the discretion to permit charitable organizations such as the American Red Cross and the Rotary to hold events such as blood drives or other publicly beneficial events on the Property. Although there is no prohibition in the SUP conditions regarding the holding of such events, Hillsdale College is seeking express permission to do so.

5. Modification of SUP Condition of Approval 4. Given the length of the pandemic and the time required to fully establish operations at the Blake Center for Faith & Freedom, extend the time limit to hold the special event detailed in Condition of Approval 4 from three years to four years. It is anticipated that the event will be held on August 11, 2023.

And original conditions #1, 2, 5, 6, 7, 8, 14 and 15 to remain.

Motion was seconded by Howie Coro, all in favor, motion carried.

MINUTES: March 6, 2023 Dan Faro made a motion to approve the minutes as written, Chris Locatelli seconded. Commissioners Fraro, Coro and Locatelli in favor, Formica abstained, motion carried.

ADJOURNMENT: Dan Fraro made a motion to adjourn, Howie Coro seconded, all in favor motion carried. Meeting adjourned at 7:55pm.

Respectfully submitted,
Jennifer Roy

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



**TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING AGENDA**

Tuesday, April 18, 2023 at 6:30pm

Town Hall, Lower level conference room, 600 Main Street, Somers, CT

I. CALL TO ORDER

II. PRE-APPLICATION:

1. Worthington Vineyard and Winery: Informal discussion with Zoning Commission regarding scope of existing 2000 Outdoor Recreation Special Permit and 2022 Farm Winery Special Permit and possible modifications to address issues relative to activities and events to be held on site.

III. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING MINUTES
Tuesday, April 18, 2023, 6:30pm



CALL TO ORDER 6:30pm, members present: Karl Walton, Jim Formica, Chris Locatelli, Dan Fraro, and Shane Manning. Also present Jennifer Roy, ZEO, Staff Liaison and Carl Landolina, Town Attorney Absent: Doug Ferro

PRE-APPLICATION:

1. Worthington Vineyard and Winery: Informal discussion with Zoning Commission regarding scope of existing 2000 Outdoor Recreation Special Permit and 2022 Farm Winery Special Permit and possible modifications to address issues relative to activities and events to be held on site.

Attorney Dory Famigiletti, along with Mark and Karen Murdoch presented the commission with list of items they would like to discuss regarding the two Special Use Permits that are currently in effect for Worthington Vineyards, 359 Mountain Road, Somers. Discussion was held regarding parking, events, music and tents.

Jennifer Roy asked that they not speak about specific wine pairing and dinner events due to the fact that there are several appeals pending before the Zoning Board of Appeals.

Further discussions were held regarding possible modifications to the special use permits, as well as text amendments. It was suggested that the Murdoch's file an application for a modification while they work on possible text amendment.

No action was taken by the Zoning Commission at this meeting.

ADJOURNMENT: Shane Manning made a motion to adjourn, Chris Locatelli seconded, all in favor motion carried. Meeting adjourned at 7:55pm.

Respectfully submitted,
Jennifer Roy

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



**TOWN OF SOMERS - ZONING COMMISSION
MEETING AGENDA**

Monday, May 1, 2023 at 6:30pm

Town Hall, Lower level conference room, 600 Main Street, Somers, CT

I. CALL TO ORDER

II. NEW BUSINESS:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit for operation of farm winery, amending the conditions of approval regarding parking, food, music and tents.

III. CORRESPONDENCE:

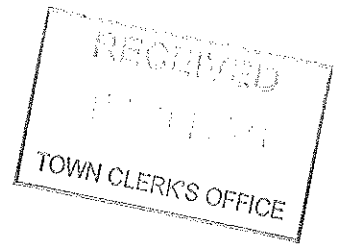
1. Kenneth Prior, 364 Mountain Road, Somers – complaint/request to revoke Worthington Vineyard’s Special Use Permit

IV. MINUTES: April 3, 2023, April 18, 2023

V. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION
MEETING MINUTES
Monday, May 1, 2023, 6:30pm



CALL TO ORDER 6:30pm, members present: Karl Walton, Jim Formica, Chris Locatelli, Dan Fraro, and Shane Manning. Also present Jennifer Roy, ZEO, Staff Liaison
Absent: Doug Ferro

NEW BUSINESS:

Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit for operation of farm winery, amending the conditions of approval regarding parking, food, music and tents.

Mark and Karen Murdoch presented their application for a modification of their special use permit. They have a traffic study in progress, as well as a revised site plan. They will have both ready for the Planning meeting next week.

Jim Formica made a motion to accept application #23-003 Mark and Karen Murdoch, refer to the Planning Commission, and schedule the public hearing for the next regular meeting June 5, 2023. Shane Manning seconded the motion, all in favor, motion carried.

CORRESPONDENCE:

Kenneth Prior, 364 Mountain Road, Somers – complaint/request to revoke Worthington Vineyard's Special Use Permit.

Karl Walton advised the commission that Mr. Prior's attorney was unable to attend the meeting, and has requested this matter be tabled to the next regular meeting. Jim Formica made a motion to table correspondence from Kenneth Prior. Shane Manning seconded, all in favor, motion carried.

MINUTES: April 3, 2023, April 18, 2023

Dan Fraro made a motion to accept both minutes as written. Chris Locatelli seconded, all in favor, motion carried.

ADJOURNMENT: Jim Formica made a motion to adjourn, Shane Manning seconded, all in favor motion carried. Meeting adjourned at 6:36pm.

Respectfully submitted,
Jennifer Roy



TOWN OF SOMERS
ZONING COMMISSION
REGULAR MEETING

****JUNE 5, 2023 MEETING IS CANCELLED****

A Special meeting will be scheduled, and
the next regular meeting is scheduled for July 3, 2023.

Questions or concerns should be directed to Jennifer Roy in the Land Use Department
#(860) 763-8220 or jroy@somersct.gov.

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING AGENDA
Wednesday, July 5, 2023 at 6:00pm
Town Hall, 600 Main Street, Somers, CT



I. CALL TO ORDER

II. PUBLIC HEARING:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; and
 - allow an 8' x 40' storage container at the rear of the Sugar House.

III. DISCUSSION/POSSIBLE DECISION:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval site plan.

IV. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING MINUTES
Wednesday, July 5, 2023, 6:00pm



CALL TO ORDER 6:00pm, members present: Karl Walton, Jim Formica, Chris Locatelli, Dan Fraro, and Shane Manning. Also present Jennifer Roy, ZEO, Staff Liaison
Absent: Doug Ferro

PUBLIC HEARING:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; and
 - allow an 8' x 40' storage container at the rear of the Sugar House.

Attorney Dorian Famiglietti and Mark Murdoch gave a presentation with details on each of the 5 changes being requested. They are looking to modify several conditions of the Special Use Permit for the Farm Winery, as well as modify the site plan. Attorney Famiglietti stated they are not requesting any changes to the original Special Use Permit for Worthington Pond.

Discussion was held regarding each request.

Jay Ussery from JR Russo and Associates gave an explanation and overview of the site plan, pointing out the current availability to have 125 parking spaces in the gravel upper lot, and 70 overflow parking spaces in the lower grassy area. There are no plans to change the grassy area to gravel.

Matt Baldino from Solli Engineering explained the traffic study to the commission. Mr. Baldino explained that their firm prepared the original traffic report for the winery when they applied for the special use permit. Mr. Baldino further explained that they updated the study to have the recent year and half of accident data, to include traffic up near Camp Road as well as from Camp AyaPo. Mr. Baldino stated that the increase in parking, and other uses, do not affect the traffic.

Karl Walton asks Mr. Baldino if they collected speed data, they did not.

Attorney Famiglietti comments that the Murdoch's have a plan for times when there is a large demand for parking, which will be to have staff directing patrons where to park and use walkie talkies and wear bright vests. Attorney Famiglietti further explained that they used the maximum number of parking spaces of 195 to avoid having to get further approval from state authorities.

Attorney Famiglietti further explained that they would like to eliminate the entire condition of no food trucks or generators and stated that in January the ZBA agreed that snacks were allowed.

The applicant is requesting that amplified music be allowed, with 1, or 2 maximum musicians, and be allowed to plug into a speaker.

Public comments in favor of the application:

Jen Griger, 24 Amie Lane, Somers
Vicki Clark, 29 Sky Ridge Drive, Somers
Kenneth Chrzanowski, 312 Root Road, Somers
Bob Garlick, 52 Juniper Hill, Somers
Ann Levesque, 230 Four Bridges Road, Somers
Erica Thiesing, 32 Eaglebrook Drive, Somers
Tom Clark, 29 Sky Ridge Drive, Somers
Joan Ellis, 35 Colonial Drive, Somers
Dorothy Ruggiero, 29 Concord Terrace, Somers
Chuck Garfield, 49 Broadway Road, Somers
Caroline Skowronek, 36 Grist Mill Terrace, Somers
Jo Tullock, 330 South Road, Somers
Monique Andrade, 204 Turnpike Road, Somers
Melanie Dzioba, 49 Broadway Road, Somers
Sandra Bruso, 11 Mallard Circle, Somers
Lars Owren, 115 Pinney Road, Somers
Lisa Horan, 43 Shady Dell Lane, Somers
Spider Carey, 160 Windermere Road, Ellington
John Shewokis, 80 Colorado Drive, Somers
Robert Issa, 55 Franklin Woods Drive, Somers
Catherine Embriano, 49 Franklin Woods Drive, Somers
Lisa Syphers, 36 Sunset Drive, Somers

Public comments with concerns:

Paige Rasid, 18 Haas Road, Somers – addressed the commission as a former commissioner, explaining the process the commission went through, and careful consideration for each of the conditions. She urges the commission to do the same while considering each of the requested modifications, and the impact that they will have on the surrounding properties.

Jennifer Roy advised that she has several emails/public comments which she will enter into the record, email a copy of all of them to the commission, applicant and their counsel, as well as Mr.

Prior and Attorney George Schober. All correspondence will be available in the Land Use office for public viewing.

Jim Formica made a motion to continue the public hearing to Wednesday, July 19, 2023 at 6:00pm. Shane Manning seconded, all in favor, motion carried.

II. DISCUSSION/POSSIBLE DECISION - TABLED

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval site plan.

ADJOURNMENT: Jim Formica made a motion to adjourn, Shane Manning seconded, all in favor motion carried. Meeting adjourned at 8:15pm.

Respectfully submitted,
Jennifer Roy

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

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING AGENDA
Wednesday, July 19, 2023 at 6:00pm
Town Hall, 600 Main Street, Somers, CT



- I. CALL TO ORDER
- II. PUBLIC HEARING:

Discussion of: Article IV Fees for significant Land Use applications
Section 114-8 – Additional costs for certain applications (related to independent peer review) for application #23-003

Discussion of: Kenneth J. Prior - Petition to intervene on application #23-003

- 1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; and
 - allow an 8' x 40' storage container at the rear of the Sugar House.

- III. DISCUSSION/POSSIBLE DECISION:

- 1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval site plan.

- IV. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING MINUTES
Wednesday, July 19, 2023, 6:00pm



CALL TO ORDER 6:00pm, members present: Karl Walton, Jim Formica, Chris Locatelli, Dan Fraro, Howie Coro and Shane Manning. Also present Jennifer Roy, ZEO, Staff Liaison and Carl Landolina, Town Attorney

Absent: Doug Ferro

Discussion of: Article IV Fees for significant Land Use applications Section 114-8 – Additional costs for certain applications (related to independent peer review) for application #23-003.

Attorney Carl Landolina explained to the commission that the Town of Somers has an ordinance, chapter 114-8; that allows the commission to ask an applicant of a significant land use application, to pay for an independent review of reports such as a traffic study.

Discussion was held. The consensus of the commission was that there is no need for a peer review of the study provided by Solli Engineering.

Discussion of: Kenneth J. Prior - Petition to intervene on application #23-003. Attorney Dory Famiglietti provided a memo (exhibit A) and a copy of the statute 22a-19 (exhibit B) regarding the request for intervener status from Kenneth Prior.

Attorney George Schober addressed the commission, explaining what the issues are the ground for requesting intervener status, and why he believes they qualify.

Discussion was held. Jim Formica made a motion to deny intervener status, seconded by Dan Fraro. Formica, Manning, and Fraro in favor of the motion, Walton and Locatelli against. Motion fails.

PUBLIC HEARING:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; and
 - allow an 8' x 40' storage container at the rear of the Sugar House.

Attorney George Schober addressed the commission. He believes the application should go to the Conservation Commission. Attorney Schober provided a summary of issues and references to specific zoning regulations. (Exhibit C).

Also provided are photos of lighting violations (Exhibit D).

A copy of civil nuisance complaint (Exhibit E).

Copies of violation notices and cease and desist orders issued by the Somers ZEO (Exhibit F).

A copy of the Town of Somers Vendors and Hawkers Ordinance 196 (Exhibit G).

Request to revoke Special Use Permit (Exhibit H).

List of unpermitted events (Exhibit I).

Photos of amplified music (Exhibit J).

Copies of GIS maps from the town website (Exhibit K).

Photos of Mountain Road (Exhibit L).

A copy of the Craft Café permit (Exhibit M).

A copy of liquor commission application for live entertainment (Exhibit N).

Attorney Schober requested Matt Baldino from Solli Engineering to come forward to answer some questions regarding the traffic report. Discussion was held. Attorney Schober asked various questions about the report including vehicle counts. Matt Baldino explained what data they gathered and how they obtain the data.

A copy of the Zoning Commission Special meeting held 12/23/2021 (Exhibit O).

A copy of Solli Engineering proposed winery Traffic Impact Study dated 11/15/2021 (Exhibit P).

Ken Prior of 364 Mountain Road addressed the commission, explaining how he took measurements of the sight lines going both up and down Mountain Road.

A copy of town maps for Mountain Road reconstruction (Exhibit Q).

Karl Walton requested a recess at 7:50pm. Public hearing reconvened at 7:59pm.

Attorney Famiglietti confirmed that there were no further questions from Attorney Schober or Mr. Baldino or Mr. Jay Ussery. Attorney Schober confirmed he had none. Seeing nothing further of either, all parties agreed to take public comments next, and continue the public hearing arguments at the continuation.

Public comments:

Karen Richard, 59 Juniper Hill Drive, Somers – opposes modifications.

Mike Bushior, 118 Rose Haven Road, Somers – opposes modifications.

Michelle Prior, 364 Mountain Road, Somers – opposes modifications.

Bob Garlic, 52 Juniper Hill Road, Somers – in favor of modifications.

Keith Charette, 36 Mulberry Lane, Somers – opposes modifications.
Heidi McCarthy, 40 Florida Road, Somers – in favor of modifications.
Emily Reynolds, 37 Isabella Drive, Somers – in favor of modifications.
Jen Grieger, 20 Amie Lane, Somers – in favor of modifications.
Stacy Naylor, 728 Stafford Road, Somers – opposes modifications.

Jim Formica asked the applicant about where the 30 parking spaces came from. Discussion was held with Attorney Famiglietti.

Attorney Landolina addressed the commission members regarding the records/transcripts from when the winery regulation was created. He will have these transcripts forwarded to the commission for review. Attorney Landolina felt this would help the commission moving forward with their deliberations.

Jim Formica made a motion to continue the public hearing to Monday, August 21, 2023 at 6:00pm. Chris Locatelli seconded, all in favor, motion carried.

II. DISCUSSION/POSSIBLE DECISION - TABLED

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval site plan.

ADJOURNMENT: Jim Formica made a motion to adjourn, Shane Manning seconded, all in favor, motion carried. Meeting adjourned at 8:53pm.

Respectfully submitted,
Jennifer Roy

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

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING AGENDA
Monday, August 21, 2023 at 6:00pm
Town Hall, 600 Main Street, Somers, CT



I. CALL TO ORDER

II. PUBLIC HEARING (continued from July 19, 2023):

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; andallow an 8' x 40' storage container at the rear of the Sugar House.

III. DISCUSSION/POSSIBLE DECISION:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval site plan.

IV. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING MINUTES
Monday August 21, 2023, 6:00pm



CALL TO ORDER 6:00pm, members present: Karl Walton, Jim Formica, Chris Locatelli, Dan Fraro, Howie Coro and Shane Manning. Also present Jennifer Roy, ZEO, Staff Liaison and Carl Landolina, Town Attorney Absent: Doug Ferro

PUBLIC HEARING:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; and
 - allow an 8' x 40' storage container at the rear of the Sugar House.

Ken Prior, 364 Mountain Road, Somers, addressed the commission. Mr. Prior explained to the commission that he has been a resident of the town since 1983, and his wife has been longer. Mr. Prior outlined on-going issues with 359 Mountain Road over the years. The following exhibits were provided and explained:

- Exhibit A – Photos
- Exhibit B – Zoning Commission 9/20/2021 minutes
- Exhibit C – Photo/parking lot
- Exhibit D – Planning Commission 11/16/2000 minutes
- Exhibit E – Photos/street/curve
- Exhibit F – Proposed Special Use conditions
- Exhibit G – Photos/food trucks/vendors
- Exhibit H – Planning Commission 11/16/2000 minutes
- Exhibit I – Photos/gate
- Exhibit J – Zoning Commission 6/28/2004 minutes
- Exhibit K – Photos/wedding
- Exhibit L – Zoning Commission transcript 12/4/2000 meeting
- Exhibit M – Zoning Commission transcript 12/4/2000 meeting
- Exhibit N – Event list
- Exhibit O – Zoning Commission 6/28/2004 minutes
- Exhibit P – Ken Prior, Petition to Intervene (original/verified)

****Discussion held between Attorney George Schober and Attorney Dorian Famiglietti****

Jennifer Roy provided the commission and applicant with a Traffic Data report from Kim Littig, Police Administrator. Data was collected for 7 days, for northbound traffic on Mountain Road.

Exhibit Q – Somers Police Traffic Data Report

Public comments:

Katherine Mashiak, 54 Springfield Road, Somers – in favor
Dominic Wilson, 50 Mulberry Lane, Somers – expressed concerns
Tim Keeney, 57 Maple Street, Somers – in favor
Bob Garlic, 52 Juniper Hill Drive, Somers – in favor
Alex Murdoch, 349 Mountain Road, Somers – in favor

Attorney George Schober addressed the commission. Provided the following exhibits with explanations:

Exhibit R – Rep. Town Committee/Tim Keeney letter dated 6/22/2020
Exhibit S – Winery proposal from 7/1/2021
Exhibit T – Kenneth Prior v. Somers Zoning Commission lawsuit
Exhibit U – Summary from Attorney Schober of believed non-compliance issues
Exhibit V – Food truck complaint
Exhibit W – Copies of social media/Facebook comments
Exhibit X – Patrice Carson, former Town Planner for Somers; memo/public comment
Exhibit Y – Photos/Sonny's Place parking lots

Discussion was held regarding the exhibits provided. Attorney Landolina questioned the reasoning/need for all the exhibits. Attorney Schober states the Zoning Commission approvals of the winery violates his client's civil rights.

Further discussion held.

Mark and Karen Murdoch, 349 Mountain Road, Somers addressed the commission. Mr. Murdoch explained where they propose the amplified music be located.

Exhibit Z – map

Karen Murdock explained that they are willing to work with the commission on specific approvals, such as if they would all even just one food truck at a time. Discussion held.

Attorney Dorian Famiglietti addressed the commission. First speaking about the petition to intervene. Then Attorney Famiglietti spoke about each request, including asking for amplified music to be allowed, as well as food trucks with generators. Attorney Famiglietti provided the following exhibits:

Exhibit AA – Town of Somers permit to discharge
Exhibit BB – Town of Somers temporary food permit application

Attorney Famiglietti suggested the commission consider allowing one food truck, 30 times per year, and amplified music once per week, up to 30 times per year. These limitations would allow for food truck and music during the peak time of the year for the winery.

Discussion held.

Jim Formica made a motion to close the public hearing, Chris Locatelli seconded, all in favor, public hearing closed at 8:34pm.

Karl Walton asked the commission members if they have all read the transcripts Attorney Landolina sent regarding the public hearings from the Zoning Regulation revisions and winery public hearings. Mr. Walton further asked if the members have all taken the required training.

Attorney Landolina explained the petition to intervene to the commission. Discussion held.

Jim Formica made a motion to approve Mr. Prior's petition to intervene. Shane Manning seconded, discussion held.

Jim Formica made a modified motion to grant intervenor status to Mr. Prior, solely with respect to 2.D. Shane Manning seconded, all in favor, motion carried.

I. DISCUSSION/POSSIBLE DECISION - TABLED

Karl Walton made a motion to table discussion decision. Jim Formica seconded, all in favor, motion carried.

ADJOURNMENT: Jim Formica made a motion to adjourn, Chris Locatelli seconded, all in favor, motion carried. Meeting adjourned at 8:57pm.

Respectfully submitted,
Jennifer Roy

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

TOWN OF SOMERS - ZONING COMMISSION
AGENDA
Tuesday, September 5, 2023 at 6:30pm
Town Hall, 600 Main Street, Somers, CT



- I. CALL TO ORDER
- II. NEW BUSINESS:
- III. DISCUSSION/POSSIBLE DECISION:
 - 1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; and
 - allow an 8' x 40' storage container at the rear of the Sugar House.
- IV. MINUTES: May 1, 2023; July 5, 2023; July 19, 2023; and August 21, 2023
- V. ADJOURNMENT

The Zoning Commission appreciates citizen input. Please contact the Land Use Office (860) 763-8220, during Regular business hours or in writing to find out the best way to communicate your concerns.

TOWN OF SOMERS - ZONING COMMISSION
MEETING MINUTES
Tuesday, September 5, 2023, 6:30pm



CALL TO ORDER 6:30pm, members present: Karl Walton, Jim Formica, Chris Locatelli, Dan Fraro, Howie Coro and Shane Manning. Also present Jennifer Roy, ZEO, Staff Liaison and Carl Landolina, Town Attorney Absent: Doug Ferro

NEW BUSINESS:

Chris Locatelli made a motion to add agenda items:

1. Presentation for proposed solar array at 159 South Road, Somers
2. Watchaug Road airstrip and hanger, proposed variance request

Shane Manning seconded the motion, no discussion, all in favor, motion carried.

Tim Coon from J.R. Russo & Associates presented a proposed 3.85-megawatt solar array to be placed on 159 South Road, Somers. This project must go to the Connecticut Siting Council, the developer is seeking feedback from the Town of Somers Zoning Commission prior to filing an application with CT Siting Council. A presentation was given, and discussion held.

Karl Walton commented that he would prefer to see a public hearing held by the CT Siting Council, considering the location of the array and the visibility from the road. Attorney Landolina commented that once an application is filed, the Town is notified, and the Board of Selectmen can formally provide that concern to the CT Siting Council.

Jennifer Roy advised the commission that there is currently an appeal before the Zoning Board of Appeals for her denial of a building and zoning permit for a new hanger at 120 Watchaug Road. The property is now owned by the Jarmoc's, who own several parcels in town, and they are tobacco farmers. The Jarmoc's applied to construct a new hanger, approximately 8,000 square feet in size. The property has an existing variance from 1972 for an airstrip and hanger, which was approximately 3,500 square feet.

Ms. Roy advised the Jarmoc's that the proper steps to take would be to revise the original variance. In turn, the Jarmoc's counsel had provided a suggested variance request with conditions. Ms. Roy is asking the Zoning Commission for input on those conditions. Discussion was held.

The commission suggested that the ZBA consider the hours of operation, as well as lighting for the airstrip. Ms. Roy will pass the information along.

DISCUSSION/POSSIBLE DECISION:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; andallow an 8' x 40' storage container at the rear of the Sugar House.

Attorney Carl Landolina started discussions with the commission regarding how to approach each request. Attorney Landolina states they should begin with looking at Section 7 of the Zoning regulations for site plan considerations. Discussions were held regarding each request, parking, food trucks, amplified music, canopies and the storage container.

Discussions on each item continued. Attorney Landolina suggested he work with Jennifer Roy to come up with some proposed motions, along with some additional conditions for each, for the commission and have this for the next meeting. The commission members agreed with Attorney Landolina.

Jim Formica made a motion to table the discussion/decision to the October 2, 2023 meeting. Chris Locatelli seconded, all in favor, motion carried.

MINUTES:

May, 1, 2023 – Jim Formica made a motion to approve the minutes, Chris Locatelli seconded, all in favor, motion carried.

July 5, 2023 – Jim Formica made a motion to approve the minutes, Chris Locatelli seconded, all in favor, motion carried.

July 19, 2023 – Jim Formica made a motion to approve the minutes, Chris Locatelli seconded, all in favor, motion carried.

August 21, 2023 – Jim Formica made a motion to approve the minutes, Chris Locatelli seconded, all in favor, motion carried.

ADJOURNMENT: Jim Formica made a motion to adjourn, Shane Manning seconded, all in favor, motion carried. Meeting adjourned at 8:30pm.

Respectfully submitted,
Jennifer Roy

TOWN OF SOMERS - ZONING COMMISSION

AGENDA

**Monday, October 2, 2023 at 6:30pm
Town Hall, 600 Main Street, Somers, CT**



I. CALL TO ORDER

II. NEW BUSINESS:

1. Application #23-004: Somers Zoning Commission, application for text amendments, removing regulations for home group daycares per CT Public Act 23-142, corrections to Sections 214-3 and 214-4 errors made during 2021 rewrite; and change Section 4.3A3 Offices from prohibited in the Industrial Zone to permitted with a Zoning Permit.

III. DISCUSSION/POSSIBLE DECISION:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; andallow an 8' x 40' storage container at the rear of the Sugar House.

IV. STAFF REPORT

V. MINUTES: September 5, 2023

VI. ADJOURNMENT

TOWN OF SOMERS - ZONING COMMISSION
MEETING MINUTES
Monday, October 2, 2023, 6:30pm



CALL TO ORDER 6:30pm, members present: Karl Walton, Jim Formica, Chris Locatelli, Dan Fraro, and Shane Manning. Also present Jennifer Roy, ZEO, Staff Liaison and Carl Landolina, Town Attorney Absent: Doug Ferro and Howie Coro

NEW BUSINESS:

Application #23-004: Somers Zoning Commission, application for text amendments, removing regulations for home group daycares per CT Public Act 23-142, corrections to Sections 214-3 and 214-4 errors made during 2021 rewrite; and change Section 4.3A3 Offices from prohibited in the Industrial Zone to permitted with a Zoning Permit.

Jennifer Roy provided an explanation to the commission regarding the text amendments. Brief discussion was held.

Christ Locatelli made a motion to schedule a public hearing for Monday, November 13, 2023 at 6:30pm. Dan Fraro seconded, all in favor, motion carried unanimously.

DISCUSSION/POSSIBLE DECISION:

1. Application #23-003: Mark and Karen Murdoch, 359 Mountain Road, Somers seeking a modification of the Special Use permit and Site Plan; for operation of farm winery, amending the conditions of approval:
 - #3 regarding parking, increasing the number of parking spaces 195,
 - #4 allow food trucks,
 - #5 outdoor amplified music and
 - #6 pop-up tents maximum size of 12' x 12'; and
 - allow an 8' x 40' storage container at the rear of the Sugar House.

Attorney Carl Landolina explained to the commission a document has been prepared by staff, with an outline of possible motions to approve, conditions to consider, and motions to deny, as guide. Attorney Landolina explained the commission can use any and/or all that they feel appropriate. Attorney Landolina suggests taking each modification one at a time and vote on each. (Document titled: Application #23-003 Findings 10/2/2023)

APPLICATION #23-003 FINDINGS 10.2.2023

Findings regarding the 22a-19 Intervention Petition:

The Intervenor failed to provide evidence of the claim in his Petition that parking in the proposed over-flow parking area would have a reasonable likelihood of unreasonably polluting the groundwater on the property or adjacent properties or any other natural resources over which the Commission has jurisdiction. The intervenor offered no substantial or expert testimony or other evidence to establish his claims.

The Commission finds that the concerns raised by the Intervenor are speculative and generalized in nature. As such, the allegations in the Petition have not been proven.

Jim Formica made a motion to deny intervenor status, Shane Manning seconded, all in favor, motion carried.

Discussions held on each of the following items:

Jim Formica made a motion to approve parking for 195 cars, with conditions, as written in section 1 of “Application #23-003 Findings 10/2/2023”, Chris Locatelli seconded. Formica, Locatelli, Manning and Fraro in favor, Walton opposed, motion carried.

I. PARKING

The additional parking complies with the regulations. Section 7.2 provides minimum, not maximum, parking requirements. The applicant has demonstrated that 30 parking spaces are insufficient for the proposed use and the Commission finds that parking should be provided to meet peak demands. There is room on the property to provide parking for up to 195 vehicles without any improvements. Based upon the Parking Justification Report provided by Solli Engineering dated June 26, 2023, concludes that “the proposed parking expansion is adequate to serve the demand generated by the winery”. It also states, “the analysis of the existing traffic volumes on the roadway network during peak operating hours of the vineyard indicate that the roadway network has adequate capacity to accommodate trips associated with the winery operations without adverse impact to the surrounding roadway network”. Other substantial evidence in the record supports these conclusions. Although some evidence to the contrary was heard, that evidence was not by expert testimony. The Commission therefore approves the application to permit up to 195 total parking spaces on the site for winery operations. The Commission also finds that the provisions and standards of Section 9.4 of the Regulations have been met, including Section 9.4E. The Commission finds that the proposal is consistent with the Town’s POCD. The Commission also finds that the site plan and other documents submitted by the Applicant are sufficient to allow the Commission to make a reasonable review of the application.

Conditions related to Parking.

1. The site plan shall be revised to increase the size of the parking spaces to 9x20.
2. The corners and outer boundaries of the overflow parking area shall be staked in the field.
3. Applicant shall submit to Town Staff a parking management plan to demonstrate the measures it will take to restrict the site to a maximum of 195 parked cars and ensure that there is no parking along Mountain Road.

Shane Manning made a motion to allow food trucks at 359 Mountain Road, with conditions, as written in section 2 of “Application #23-003 Findings 10/2/2023”, Chris Locatelli seconded. Formica, Locatelli, Manning and Fraro in favor, Walton abstained, motion carried.

II FOOD TRUCKS

The Commission has specifically allowed food vendors as part of the initial farm winery Special Use Permit. Per Section 1.4.A.2 of the Regulations, if a use is not specifically listed, the Commission has discretion to determine whether it is permitted or prohibited in a district. The Commission finds food trucks to be substantially similar to other food vendors. The Commission also finds that the provisions and standards of Section 9.4 of the Regulations have been met, including Section 9.4E. The Commission finds that the proposal is consistent with the Town’s POCD. The Commission also finds that the site plan and other documents submitted by the Applicant are sufficient to allow the Commission to make a reasonable review of the application.

To ensure that the use of food trucks on the site will have the least impact on the surrounding neighborhood, the Commission imposes the following conditions:

1. No more than One (1) food truck or other food vendor shall be allowed on the property at any time.
2. The Applicant shall provide electrical hook-ups to be used by all food trucks or other food vendors. No food vendors or food trucks shall operate using a generator.
3. All food trucks or food vendors making direct sales to the public shall be located at least 250 feet (or other number) from Mountain Road.
4. Food trucks and food vendors shall cease operations one hour before the closing of the winery.

Jim Formica made a motion to approve outdoor amplified music, with a one year expiration being an integral part of the consideration and decision; and with conditions, as written in section 3 of “Application #23-003 Findings 10/2/2023”, Chris Locatelli seconded. All in favor, motion carried unanimously.

III OUTDOOR AMPLIFIED MUSIC; LIVE OR RECORDED is approved for 1 year, expiring October 2, 2024, subject to renewal,

The Commission has specifically allowed outdoor music as part of the initial farm winery Special Use Permit. The applicant has demonstrated by its sound test that the provision of amplified music can meet the requirements of the Town’s Noise Regulations contained in Section 7.11.F. The Commission also finds that the provisions and standards of Section 9.4 of the Regulations have been met, including Section 9.4E. The Commission finds that

the proposal regarding amplified music is consistent with the Town's POCD. The Commission also finds that the site plan and other documents submitted by the Applicant are sufficient to allow the Commission to make a reasonable review of the application with respect to amplified music.

Conditions Relating to Amplified Music:

1. All music must be acoustic.
2. The location of any outdoor amplified music at the winery shall be in the locations identified on the plan presented by Applicant as Exhibit Z of the 8/21/2023 record.
3. Amplified music or voice shall be limited to 30 days per calendar year.
4. The owner/operator of the winery shall be responsible for monitoring the sound levels of any outdoor amplified music to ensure compliance with the standards set forth in Section 7.11.E and 7.11.F and shall keep a log of the readings and provide evidence of compliance to the Zoning Agent upon request.
5. Any outdoor music (amplified or otherwise) accessory to winery operations shall only be permitted during the permitted hours of the tasting room.
6. Applicant shall provide at least 2 weeks advance notice to the Zoning Officer of any scheduled outdoor amplified music at the winery.

Shane Manning made a motion to approve the temporary storage container, with conditions, as written in section 4 of "Application #23-003 Findings 10/2/2023", Jim Formica seconded. All in favor, motion carried unanimously.

IV. TEMPORARY STORAGE CONTAINER

Temporary Storage trailers are permitted under Section 6.9.A.2 for up to one year, expiring October 2, 2024.

The Commission also finds that the provisions and standards of Section 9.4 of the Regulations have been met, including Section 9.4E. The Commission finds that the proposal regarding storage trailers is consistent with the Town's POCD. The Commission also finds that the site plan and other documents submitted by the Applicant are sufficient to allow the Commission to make a reasonable review of the application with respect to the storage trailer.

Conditions related to temporary storage container:

1. The storage container remain in it's present location.
2. The existing fence be maintained as a buffer.

Jim Formica a motion to allow canopies, no larger than 144 square feet, with conditions, as written in section 5 of “Application #23-003 Findings 10/2/2023”, Chris Locatelli seconded. All in favor, motion carried unanimously.

V. TEMPORARY POP UP CANOPY

The Commission approves temporary Canopies, no canopy shall be larger than 144 square feet(ie. 12’x12’). All Canopies must be removed by the close of business. The Commission finds that the canopies are an accessory use to vineyard. The Commission also finds that the provisions and standards of Section 9.4 of the Regulations have been met, including Section 9.4E. The Commission finds that the proposal regarding canopies is consistent with the Town’s POCD. The Commission also finds that the site plan and other documents submitted by the Applicant are sufficient to allow the Commission to make a reasonable review of the application with respect to the canopies.

MINUTES: September 5, 2023 Jim Formica made a motion to approve minutes as written, Shane Manning seconded. All in favor, motion carried unanimously.

ADJOURNMENT: Jim Formica made a motion to adjourn, Shane Manning seconded, all in favor, motion carried. Meeting adjourned at 8:15pm.

Respectfully submitted,
Jennifer Roy

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

TOWN OF SOMERS
ZONING COMMISSION
REGULAR MEETING



****NOVEMBER 6, 2023 MEETING IS CANCELLED DUE TO
ELECTIONS****

A Special meeting will be scheduled, and
the next regular meeting is scheduled for November 13, 2023 at 6:30pm.

Questions or concerns should be directed to Jennifer Roy in the Land Use Department
#(860) 763-8220 or jroy@somersct.gov.

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING AGENDA
Monday, November 13, 2023 at 6:30pm
Town Hall, 600 Main Street, Somers, CT



I. CALL TO ORDER

II. PUBLIC HEARING:

1. Application #23-004: Somers Zoning Commission, application for text amendments, removing regulations for home group daycares per CT Public Act 23-142, corrections to Sections 214-3 and 214-4 errors made during 2021 rewrite; and change Section 4.3A3 Offices from prohibited in the Industrial Zone to permitted with a Zoning Permit.

III. DISCUSSION/POSSIBLE DECISION:

1. Application #23-004: Somers Zoning Commission, application for text amendments, removing regulations for home group daycares per CT Public Act 23-142, corrections to Sections 214-3 and 214-4 errors made during 2021 rewrite; and change Section 4.3A3 Offices from prohibited in the Industrial Zone to permitted with a Zoning Permit.

IV. MEETING SCHEDULE FOR 2024

V. MINUTES: October 2 2023

VI. ADJOURNMENT

TOWN OF SOMERS - ZONING COMMISSION
SPECIAL MEETING MINUTES
Monday, November 13, 2023, 6:30pm



CALL TO ORDER 6:30pm, members present: Jim Formica, Chris Locatelli, Dan Fraro, and Howie Coro. Also present Jennifer Roy, ZEO, Staff Liaison
Absent: Karl Walton, Shane Manning and Doug Ferro

PUBLIC HEARING:

Application #23-004: Somers Zoning Commission, application for text amendments, removing regulations for home group daycares per CT Public Act 23-142, corrections to Sections 214-3 and 214-4 errors made during 2021 rewrite; and change Section 4.3A3 Offices from prohibited in the Industrial Zone to permitted with a Zoning Permit.

Chris Locatelli made a motion to open the public hearing, Howie Coro seconded, all in favor, motion carried.

Jennifer Roy provided an explanation to the commission regarding the text amendments.

No one present to speak in favor or opposition. Chris Locatelli made a motion to close the public hearing, Dan Fraro seconded, all in favor, motion carried.

DISCUSSION/POSSIBLE DECISION:

Application #23-004: Somers Zoning Commission, application for text amendments. Chris Locatelli made a motion to approve, seconded by Howie Coro, all in favor, motion carried.

MEETING SCHEDULE FOR 2024: Chris Locatelli made a motion to approve, Howie Coro seconded, all in favor, motion carried.

MINUTES: October 2, 2023 Chris Locatelli made a motion to approve minutes as written, Dan Fraro seconded, all in favor, motion carried.

ADJOURNMENT: Chris Locatelli made a motion to adjourn, Howie Coro seconded, all in favor, motion carried. Meeting adjourned at 6:39pm.

Respectfully submitted,
Jennifer Roy

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

TOWN OF SOMERS - ZONING COMMISSION
AGENDA
Monday, December 4, 2023 at 6:30pm
Town Hall, 600 Main Street, Somers, CT



- I. CALL TO ORDER
- II. NEW BUSINESS:
 - 1. Application #23-005: Hillsdale College, 732 Hall Hill Road, Somers seeking a modification of the Special Use permit condition #4, to allow Hillsdale College to hold one special event at the Blake Center each year, complying will all existing requirements set forth in Condition of approval #4.
- III. CORRESPONDENCE:
 - 1. Gingras Development – Informal discussion for possible development at Somers Crossing, 85 South Road, Somers.
- IV. STAFF REPORT
- V. MINUTES: November 13, 2023
- VI. ADJOURNMENT

TOWN OF SOMERS - ZONING COMMISSION
MEETING MINUTES
Monday, December 4, 2023, 6:30pm



CALL TO ORDER 6:30pm, members present: Karl Walton, Jim Formica, Shane Manning, Dan Fraro, and Howie Coro. Also present Jennifer Roy, ZEO, Staff Liaison
Absent: Chris Locatelli and Doug Ferro

NEW BUSINESS:

1. Application #23-005: Hillsdale College, 732 Hall Hill Road, Somers seeking a modification of the Special Use permit condition #4, to allow Hillsdale College to hold one special event at the Blake Center each year, complying will all existing requirements set forth in Condition of approval #4.

Attorney George Schober present to represent Hillsdale College. Attorney Schober gave a brief explanation, they are requesting the condition of approval allowing a large event one time be revised, to allow one large event per year. Discussion held.

Jim Formica made a motion to accept application #23-005 for Hillsdale College, refer to the Planning Commission, and schedule a public hearing for Monday, February 5, 2024 at 6:30pm. Howie Coro seconded, all in favor, motion carried.

II. CORRESPONDENCE:

1. Gingras Development – Informal discussion for possible development at Somers Crossing, 85 South Road, Somers.

Tom Carenzo, Gingras Development, along with Jon Ladd and Dave Birkenshaw; addressed the commission proposing development at 85 South Road. The proposal is for possibly 5 buildings, with 4-5 residential units per building. Discussions were held as to how to proceed. Mr. Carenzo explained the vision that this would be higher end units with 2 bedrooms maximum. They would not be looking for age restriction or affordable housing.

Discussions held, Jennifer Roy advised that this parcel is located in the Village Business District and suggested that they review this with their consultant when proceeding with any possible text amendments to allow for such development. There was a consensus among the commission members that there is a need for this type of development and this parcel would be a good location.

III. STAFF REPORT

Jennifer Roy explained to the commission that state statutes require each municipality to have an Affordable Housing Plan. Ms. Roy met with Brad Pellissier, Chairman of the Planning Commission and Todd Rolland, Director of Land Use and Public Works to discuss getting a

steering committee formed for this plan. Karl Walton explained that generally there's a member from each of the boards and commissions. Mr. Walton is willing to serve on this committee. The Plan of Conservation and Development was also discussed, and the timeframe with which the town must review/renew – 2025. Ms. Roy will keep the commission informed of the progress.

IV. MINUTES: November 13, 2023 Jim Formica made a motion to approve the minutes as written. Dan Fraro seconded, all in favor, motion carried.

ADJOURNMENT: Dan Fraro made a motion to adjourn, Jim Formica seconded, all in favor, motion carried. Meeting adjourned at 7:10pm.

Respectfully submitted,
Jennifer Roy

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



Board of Selectmen / First Selectman
Town of Somers
600 Main Street
Somers, CT 06071

June 13, 2023

Subject: Building and Mechanical Fees

Dear Sir:

As you will recall, the Land Use Department was asked to review our current building and mechanical fee schedule and make recommendations to bring our fee schedule closer into alignment with surrounding municipalities.

Jennifer Roy conducted research, collated the data, and brought forward her finds.

Based on this information, we recommend the following:

- The building permit and trade permit fees remain at \$40.00 for the first \$1,000.00 of construction costs,
- The building permit and trade permit fees over the first \$1,000.00 shall increase from \$15 for every \$1,000.00 of construction costs to \$18 for every \$1,000.00 of construction costs, or fraction thereof,
- The certificate of occupancy fee shall increase from \$10 to \$25,
- Reinspection fee shall increase from \$0.00 to \$25.00 for each subsequent re-inspection after two failed inspections,
- The zoning review fee shall increase from \$45.00 to \$50.00

We don't recommend increasing the minimum fees because, as you will recall, on June 1, 2022, the Board of Selectmen voted to increase the building permit and trade permit fees from \$30.00 for the first \$1,000.00 of construction costs to \$40.00. This vote was taken when we began using our new online permitting system.

Both the Certificate of Occupancy fee and Zoning review fee have remained unchanged since at least 2014.

The proposed re-inspection fee is new.

As per Town Ordinance 114-6, *Establishment of fees:*

(e) The attached fee schedule may be amended from time to time upon a vote of the Board of Selectman and shall be based upon recommendations by the Building Official or Fire Marshal.

NOTICE OF BUILDING AND ZONING FEE ADJUSTMENT

On Thursday, July 06, 2023, the Somers Board of Selectman voted to make the following changes to the Building and Zoning fee schedule:

- Building permit and trade permit fees shall remain at \$40.00 for the first \$1,000.00 of construction costs,
- Building permit and trade permit fees over the first \$1,000.00 shall increase from \$15 for every \$1,000.00 of construction costs to \$18 for every \$1,000.00 of construction costs, or fraction thereof,
- Certificate of occupancy fee shall increase from \$10 to \$25,
- Reinspection fee shall increase from \$0.00 to \$25.00 for each subsequent re-inspection after two failed inspections,
- Zoning review fee shall increase from \$45.00 to \$50.00

As per Town Ordinance 114-6, *Establishment of fees:*

An amended fee schedule shall become effective 30 days following the date of adoption by the Board of Selectmen.

This schedule of fees shall become effective on August 07, 2023

Respectfully,
 Todd Rolland
 Director of Land Use & Public Works,
 Deputy Director of Emergency Management,
 Tree Warden
 Town of Somers
 93 Egypt Road
 Somers, CT 06071
 (860)763-8238 - Office
trolland@somersct.gov



RECEIVED

APR 08 2023

TOWN CLERK'S OFFICE

An Ordinance Prohibiting the Spreading of Ashes on Public Land

Be it resolved that on or after the effective date of this Ordinance it shall be unlawful to scatter, bury or place human or animal ashes on any lands of the Town of Somers, except as otherwise permitted in public cemeteries.

Any violation of this Ordinance shall result in a civil fine in the amount of Two Hundred Fifty (\$250.00) Dollars payable to the Town. Any citation issued under this Ordinance shall be issued by any law enforcement personnel of the Town or any other town official as designated by the Board of Selectmen and may be appealed as provided in Section 7-152c of the Connecticut General Statutes.

Adopted this _____ day of _____, 2023 with an effective date of _____.