

TOWN OF SOMERS - ZONING COMMISSION
MEETING MINUTES
Monday, October 7, 2024



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

NEW BUSINESS:

Attorney Carl Landolina explained to the commission that there has been some mediation regarding the pending cases, and as such, all parties involved agreed to recommending the commission extend the outdoor music through November 30th, at which time the winery will make application to the commission to revise their special use permit for another year for outdoor music.

Attorney Landolina further explained that the Zoning Regulations give authority to the Zoning Enforcement Officer to renew the temporary storage container for up to one year. The commission should vote on each item separately.

Somers Mountain Properties/Worthington Winery, 359 Mountain Road, Somers, review for possible renewal, conditions of approval:

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

Chris Locatelli made a motion to extend the approval for outdoor amplified music until November 30, 2024 with 5 events only. Shane Manning seconded the motion, all in favor, motion carried.

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

Shane Manning made a motion to grant permission to the ZEO to approve the temporary storage container for one year. Dan Fraro seconded the motion, all in favor, motion carried.

DISCUSSION/POSSIBLE DECISION:

Application #24-002: Somers Mountain Properties, LLC, 359 Mountain Road, Somers; seeking a Text Amendment to section 214-6.11 and 6.12 of the Somers Zoning Regulations, as they relate to Farm Wineries.

Attorney Landolina explained to the commission that the statutory time limits will expire on this application on October 11, 2024. In this case, the applicant may grant the commission more time

to decide. As with the other matters just discussed, all parties involved in the claims and litigation agree to not take action or appeal the extending of the decision on the text amendment to a future date to be determined, once mediation has ended.

After a brief discussion, Shane Manning made a motion to table the decision for application #24-002 Somers Mountain Properties, seeking a text amendment to a future date to be determined once mediation has ceased. Chris Locatelli seconded the motion, all in favor, motion carried.

EXECUTIVE SESSION: Pending claims and litigation re: Kenneth Prior v. Somers Mountain Properties and the Somers Zoning Commission.

Docket #HHD-CV22-6184463-S

Docket #HHD-CV23-6179559-S

Docket #HHD-CV24-6184464-S

Chris Locatelli made a motion to enter into Executive session, inviting Attorney Landolina and Jennifer Roy at 6:51pm.

At 7:06pm Executive session ended, Chairman Jim Formica stated no action or votes were taken.

APPROVAL OF MINUTES: September 3, 2024 Chris Locatelli made a motion to approve the minutes as written, Shane Manning seconded, all in favor, motion carried.

ADJOURNMENT: Shane Manning made a motion to adjourn, Dan Fraro seconded, all in favor, meeting adjourned at 7:08pm.

Respectfully submitted,
Jennifer Roy

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