

**TOWN OF SOMERS
PLANNING COMMISSION
P.O. BOX 308
SOMERS, CONNECTICUT 06071**

**PLANNING MINUTES
REGULAR MEETING
Thursday, February 9, 2006
7:00 p.m. Town Hall**

I. PUBLIC HEARING

a. Continuation: Special Use Permit Application For Age Restricted Housing, Shaker Road, Gingras Development, LLC

Chairman Karl Walton opened the public hearing at 7:04 p.m. The Town Planner read the legal notice.

Aris Stalis, representing the developer, gave a brief overview of the application, noting that of the 45 acre parcel, the applicant will only be disturbing 23 acres on which will be placed 80 units of age-restricted housing. The primary entrance will be off Shaker Road, with a secondary emergency entrance situated off Main Street. Two detention basins designed to accommodate a 100-year storm system will be installed. There will be a walking trail system field located which will circumference the area. All utilities are to be underground.

Malcolm Chadbourne, 39 Lindell Drive, asked about emergency and handicap access into the units themselves. Jerry Gingras replied that the models are designed to have low entrances with just a few steps. The front doors will all be 3 feet wide, so emergency equipment will be accessible to the area. The garages will all be enclosed and will also have a few steps into the units. Mrs. Carson noted that the fire department has looked at all the plans and did not have any access concerns.

Everett Morrill, 101 Mountain View Road, asked if maintenance of the area will be done by the Town and was told that all maintenance will be handled privately. Nothing will be required of the Town.

Mrs. Carson noted that a conditions list has been prepared by staff and reviewed by the Town Attorney. Mr. Stalis has reviewed the list and stated that all items on the list can be addressed.

Mrs. Carson added that she and Mr. Strauss have no more outstanding conditions.

A motion was made by Brad Pellessier, seconded by Cliff Bordeaux and unanimously voted to close the public hearing at 7:13 p.m.

b. Subdivision Application #390: 6-Lots LaCabana Road (off Mountain View Road), Jalbert

Chairman Karl Walton called the public hearing to order at 7:14 p.m. The Town Planner read the legal

notice.

Sandy Aeschliman presented plans for the applicant, Rob Jalbert, who was also present. Mr. Aeschliman described the site as being on 21 acres situated on the southerly side of Mountain View Road. The subdivision will consist of 6 lots which will require excavation because the site has a large amount of ledge.

He added that he has addressed staff comments and explained that Town Engineer Merv Strauss has 3 main concerns. The first is the culvert which goes under Mountain View Road which will be abandoned. Mr. Strauss feels this should be removed from the road. The applicant is opposed to digging up more of the road unless absolutely necessary.

The second concern is the Machnicki driveway grade being too steep, but this is in the process of being taken care of.

The dry hydrant is also an issue. The applicant feels that is has already been discussed.

Mr. Jalbert expressed concern about the appraisal the Town has received and stated that he had reviewed it with two other appraisers who also felt that the figure was high, particularly when considering the comparisons included.

Mrs. Carson noted that one of the positive appraisal points on the Jalbert property is the view. In addition, appraisals are generally coming in higher because property values are increasing.

Mr. Jalbert asked if he could have his own appraisals done and what potential effect his doing so would have on the open space fee. Mrs. Carson responded that he was welcome to have his own appraisals done, but that the Town is not obligated to consider them.

Joe Iadarola noted that when someone is considering buying these sites for development, they would take into consideration the difficulty in developing the site and the cost associated with such work. He noted that the applicant's point is valid, but he isn't sure how his concerns could be taken into consideration.

Mrs. Carson suggested that if the applicant would like to present a question which he received from another appraiser regarding the comparables, she could give this question to the Town appraiser and get a response for Mr. Jalbert and the Commission. After discussion, Mike Collins suggested that the applicant submit his questions in writing from his appraisers. Mr. Jalbert would like to know about the property value determination and the developmental cost compared to the comparables and agreed to have the question to Mrs. Carson within the next few days.

Mrs. Carson noted that when staff first began working with Mr. Jalbert on this project, she and Mr. Jalbert discussed the dry hydrant with the Fire Marshall. Mr. Jalbert was agreeable to providing the dry hydrant if he was not responsible for obtaining the rights over the property. It has been determined that the Town has a verbal agreement with the property owner for the hydrant and is asking the applicant to put in the dry hydrant. It will cost the developer initially to put the hydrant in, but he will quickly make up his cost in

insurance savings.

In addition to comments from Merv Strauss and David Askew, a letter was presented from Steve Jacobs requesting that the relocation of the septic system on the Machnicki lot be done prior to the work on Mountain Road.

Mrs. Carson also noted that she had received the certified mail slips and receipts from Mr. Jalbert as proof of the required abutters' notification.

The final bond amount has been set at \$408,908.00.

It was determined that the public hearing could not be closed this evening and Mrs. Carson stated that she will not be at the February 23, 2006 meeting, but Mr. Strauss will be. At 7:44 p.m. a motion was made by Cliff Bordeaux, seconded by Brad Pellessier and unanimously voted to continue this hearing at the February 23, 2006 Planning Commission Meeting at 7:00 p.m. in the Town Hall.

II. CALL TO ORDER

Chairman Karl Walton called the regular meeting to order at 7:45 p.m. Members Cliff Bordeaux, Michael Collins, Brad Pellessier, Karl Walton, and Alternates Greg Genlot, Joe Iadarola (seated for Michelle Hayward) and Georgeanne Kuzman were present and constituted a quorum. Town Planner Patrice Carson was also present.

III. OLD BUSINESS

a. Discussion/Possible Decission: Special Use Permit Application for Age Restricted Housing, Shaker Road, Gingras Development, LLC

Patrice Carson commented that she had been very impressed by how well this project went, particularly since it was the first project of this type that the Town has been engaged in. Everyone seemed to get along well and worked together in such a way that it was a positive experience for all involved.

Mrs. Carson has a list of conditions which are tied to steps within the development process. Bonding will be required for erosion control, construction of the emergency access, monumentation and work along Shaker Road.

A motion was made by Prad Pellessier, seconded by Mike Collins and unanimously voted to approve Gingras Development, LLC's Special Use Permit for an 80-unit Age Restricted Housing project on Shaker Road, in accordance with the plans known as "Somers Village, An Active Adult Community In Somers, Connecticut", dated: July 29, 2005, Revised: through January 20, 2006, 30 sheets, which is conditional on the following:

1. The presentation of a performance bond in an amount acceptable to the Town Engineer and in a form acceptable to the Town Attorney. The bond shall be calculated with a 20% contingency for the

following work:

- a. Erosion and sediment control methods on the site;
 - b. Construction of the emergency access in accordance with the plans from the parking lot of Joanna's Café including the gate, Knox box, and accessway;
 - c. All work and site improvements on Shaker Road and at the entrance to the project across from Collins Drive; and
 - d. Monumentation of the site including all iron pins and monuments.
- Bond to be in place prior to the commencement of construction of site improvements.
2. The property is subject to the terms and conditions of the Declaration of Condominium for Somers Village and the Town's Zoning Regulations Article XXIII. All deeds transferring title to the units shall reflect that the units are to be occupied in accordance with the above.
 3. Prior to any site work, a pre-construction meeting with the developer, his site engineer and town staff is required.
 4. Prior to any tree-cutting, the 30-foot buffer strip shall be flagged around the site perimeter to keep any clearing out of the buffer area.
 5. Prior to tree-cutting for the trail, field markers will be placed where the trail will be and reviewed by Town Staff.
 6. Prior to the issuance of any Certificate of Occupancy, the developer will provide the town Planning Department with a plan showing the as-built foundation location of each unit.
 7. Prior to the issuance of a building permit for the 27th unit, all utilities and road construction work up to the binder course of pavement shall be completed and certified by the developer's engineer that it has been constructed according to the plans and specifications. Work includes completion of the trail around the property, completion of the detention basins, and all utilities including lighting and storm sewer, road base and binder course pavement, sidewalks, and completion of the entryway landscaping.
 8. Once the roadway and improvements are 100% complete or prior to the issuance of the Certificate of Occupancy for the 80th unit, the developer will submit Final As-Built Plans and certification of the improvements in accordance with the approved plans and specifications to the town.

The Planning Commission finds with these conditions the plan meets the requirements of the Somers Zoning Regulations for Age-Restricted Housing.

b. Discussion/Possible Decision: Subdivision Application #390: 6-Lots LaCabana Road (off Mountain View Road) Jalbert

This item was deferred since the public hearing was still open.

c. Other - No Other New Business was presented.

At this time, Cliff Bordeaux recused himself from the meeting and Greg Genlot was seated for him.

IV. NEW BUSINESS

a. Zoning Referral: Modification of Special Use Permit Application for Gravel Bank, South Road, Bordeaux Farm

Applicant Cliff Bordeaux presented plans for his gravel bank, explaining that he is seeking to add a Phase 11. Currently work is being done on Phases 9 and 10 and there is an area of land between them which would be designated as Phase 11. By graveling this area, the site would be smoothed out and made uniform. Rather than waiting until the formal permit process in June, applying now enables work to begin on the area sooner. The process will add approximately 12 to 18 months to the project.

Mrs. Carson stated that Jim Taylor and Merv Strauss will review the application prior to the next meeting.

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b. Zoning Referral: Site Plan Application for Outdoor Growing Areas and Gravel Bank, 164 Hampden Road, Grower Direct Farms

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The Commission briefly reviewed the plans showing that only a portion of the Grower Direct Farms parcel on Hampden Road needs to be graveled. Merv Strauss has not yet looked at the area, but will do so prior to the next meeting. Discussion on the project was deferred until Mr. Strauss has presented his report.

c. Zoning Referral: Amendment to the Zoning Regulations Article XV Flood Damage Prevention

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Steve Jacobs and Patrice Carson met with FEMA and DEP before all the flooding and they have now made some corrections to the flood regulations requested by FEMA and the DEP. The Zoning Regulations will need to be amended to include the revised date of the maps and reference to the Town's Flood Management Study.

A motion was made by Brad Pellessier, seconded by Greg Genlot and unanimously voted to recommend to the Zoning Commission approval of the amendment to the Zoning Regulations Article XV Flood Damage Prevention.

d. Reconfiguration of Lots, 54 and 38 Hangdog Lane (Map 12, Block 42A and Map 12, Block 37, Lot 04), Roulier and Medrek

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The Commission reviewed the plans for the proposed reconfiguration in which the owners of the neighboring parcels are seeking to exchange small sections of land. Town Sanitarian Steve Jacobs has reviewed and approved the application.

A motion was made by Joe Iadarola, seconded by Brad Pellessier and unanimously voted to approve the reconfiguration of property of Daniel R. & Jane E. Roulier and Paul L. & Rachel P. Medrek at 54 & 38 Hangdog Lane (Map 12, Block 42A & Map 12, Block 37, Lot 04), as shown on map entitled, "Lot Line Reconfiguration Plan, Prepared For Dan & Jane Roulier, 54 Hangdog Lane, Somers, Connecticut", dated: 2/3/06, 1 sheet. This reconfiguration does not constitute a subdivision because no new lot is created.

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e. Other - No Other New Business was presented.

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V. DISCUSSION: PLAN OF CONSERVATION AND DEVELOPMENT

The next meeting is scheduled for March 27, 2006 and will be attended by the Economic Development Commission. Mrs. Carson asked that everyone watch for emails regarding samples of agricultural zones which she will be sending out prior to the meeting.

VI. STAFF/COMMISSIONER REPORTS

The Whitaker property closing is taking place tomorrow, February 10, and much of Mrs. Carson's time has been spent on this and helping the NCLT with 2 trails grants. Mrs. Carson issued 3 Zoning Permits and 1 Certificate of Occupancy in January.

There will be a public meeting on February 15th at the Fire House beginning at 7:00pm regarding improvements to the Route 190 intersection at Sokol Road and Ninth District Road.

VII. AUDIENCE PARTICIPATION - There was none.

VIII. CORRESPONDENCE AND BILLS

No correspondence was presented.

There was one bill from the Journal Inquirer in the amount of \$173.14 for the meeting of January 12, 2006. A motion was made by Greg Genlot, seconded by Brad Pellessier and unanimously voted to pay the bill.

IX. MINUTES APPROVAL

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A motion was made by Brad Pellessier, seconded by Greg Genlot and approved by a vote of 4 in favor, 0 opposed, and 1 abstention (Collins) to approve the minutes of the January 26, 2006 meeting as written.

X. ADJOURNMENT

A motion was made by Brad Pellessier, seconded by Mike Collins and unanimously voted to adjourn the February 9, 2006 Planning Commission meeting at 8:25 p.m.

Respectfully submitted,

Brad Pellissier, Secretary

Robin Timmons, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.