

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

**PLANNING MINUTES
SPECIAL MEETING
Thursday, September 13, 2007
7:00 p.m. Town Hall**

I. PUBLIC HEARING

Secretary Brad Pellissier reconvened the Public Hearing at 7:00 p.m.

a. CONTINUATION: SPECIAL USE PERMIT APPLICATION FOR SHADY LAKE ARH PROJECT, 31 SOUTH ROAD, SHADY LAKE LLC

Representing the applicants, Nat Sreenath, Project Engineer, David Payne, Landscape Architect, Jim Tripa, Housing Architect, Dan Avery and Roger Frangmore were present for the public hearing.

Nat Sreenath displayed the subdivision map of the project and pointed out the emergency access. It will be a gravel road with a Knox box set-up and a chain to prevent parking in the area.

To address the sidewalk lighting concerns, the revised lighting plan will provide a minimum of 0.1 lumens around the walkways. Two light poles were added to achieve this.

The orifice pipe size has been increased from 6" to 8".

The applicant is still waiting for State approval but has received FEMA approval regarding the flood boundaries on the map. Town Planner, Patrice Carson, received a copy of the approval.

A complete set of final drawings (39 pages) has been given to Steve Jacobs per his request.

Dan Avery said he received correspondence from the State asking about the integrity of the dam. The property owners have hired Kiran Engineering to do the study which is separate from the ARH application. Ms. Carson pointed out that the applicant's are responsible for the dam.

Ms. Carson stated that there needed to be a bond for the public improvements, i.e., the area on South Road and the emergency access way, and suggested that the applicant confer with Mr. Strauss. A minimum bond is \$10,000.00.

Ms. Carson went over a list of Commission concerns that were still open:

1. The declaration has been presented and approved by the Town's attorney as corrected.
2. A pre-construction meeting is required before any work begins.

3. A 30-foot buffer must be flagged near the property edges before tree clearing begins. The trail will also need to be flagged before clearing and Town staff must be contacted for review and approval.
4. The units are restricted to one bedroom and this condition must be recorded on each unit's deed.
5. The Town asks that the road construction and utilities be done up to the binder course before the building permit for the 12th unit of the 32 units will be issued. All road construction and utility work must be completed prior to issuance of the Certificate of Occupancy on the last unit.
6. Specifications for the emergency access sign need to be on the plans.
7. The Fire Chief wants the access road to be designed for a 40-ton fire apparatus.
8. The Town needs a copy of the DOT permit for the entrance.
9. Two pins must be set at the property corners and any pins that need to be set outside of the swamp area must be set.
10. There was a stone four-bay check dike that was added to page 10 and needs to be added to page 6.

Brad Pellisier opened the floor to Public comment.

Judy Maylott, 41 Kibbe Road, asked where the emergency access road would be. Mr. Sreenath showed her the location on the map in relation to her property.

There were no other question or comments.

A motion was made by Greg Genlot, seconded by the Joe Iadarola and unanimously voted to close this portion of the public hearing at 7:17pm.

b. SUBDIVISION APPLICATION #403, 9 LOTS, 88 BATTLE STREET (PINE KNOB ESTATES), HORIZON VIEW ESTATES, LLC

Brad Pellissier called the second public hearing to order at 7:18 p.m. and the legal notice was read.

Ms. Carson stated that the applicant has duly notified all abutters by certified mail, return receipt, which were presented.

David Palmberg of William R. Palmberg & Son Land Surveyors and applicant Bob Gingras of Horizon View Estates were present at the hearing.

Mr. Palmberg spoke on behalf of Horizon View Estates. The site is just over eleven acres across the street from the Town cemetery and south of the Gillette's Crossing subdivision.

Development of 8 lots is proposed on the main parcel. In conjunction with this application a reconfiguration plan has been submitted for Lot 9 which includes part of Lot #8 of Gillette's Crossing which would be used to create Lot 9 of Horizon View Estates on Battle Street.

There will be a total of 9 single-family homes. They will be serviced with public water and private septic. The parcel is located in the A-1 zone and the lots, as proposed, meet or exceed the zoning requirements. There are no wetlands on-site.

Development of the subdivision would include construction of about 980 feet of 24 foot wide roadway, which would connect Bailey Lane with Battle Street. This would be about 100 feet northeast of the cemetery access drive. Mr. Palmberg has discussed the roadway width with Mr. Strauss, Ms. Carson and Wetland and Erosion Control Officer, David Askew. Town regulations require a 28-foot minimum width, however the current roadway to which this would connect is 24 feet. Mr. Strauss would like a uniform pavement line to be maintained.

Ms. Carson said that in prior discussions a 24 foot roadway has been deemed acceptable if no parking signs are placed on one side of the street to accommodate the Fire Department. She also pointed out that environmentally and for snow plowing a 24 foot road is preferable.

The applicant proposes to widen the pavement on the northeast side of Battle Street to 24 feet. A storm drainage system within the roadway is proposed with a retention pond at the corner of the new roadway and Battle Street. Two catch basins and stubs for future catch basins will be installed. Drainage lines along the road will tie into the new system.

The pond will discharge into an existing Town discharge point. Mr. Palmberg stated that Mr. Strauss has concerns regarding potential capacity issues of the pond. The applicant will provide information addressing this concern to the Town.

Mr. Strauss had asked for property lines to be radial to the roadway and this has been accommodated in the plan. However, the applicant requests that this requirement be waived on a couple of lots. This would allow for a clearer boundary line for the residents and also to expand the size of the discharge pond if needed. Ms. Carson stated that she and Mr. Strauss had no problem with this request.

The applicant is also requesting a waiver of the plan scale from the required 1"=40' scale to 1"=50' scale, which allows the whole plan to be viewed on one sheet.

The applicant requested a fee in lieu of open-space. The appraisal came in at \$222,500.00, 10% equaling \$22,250.00, divided by 9 would be \$2,472.73 per lot.

Ms. Carson stated that Mr. Palmberg outlined most of the remaining concerns that Mr. Strauss had. There are a few housekeeping items still needed i.e. area maps and signature blocks. Main issues still pending are the drainage calculations that must be reviewed by Mr. Strauss and the construction bond.

The concerns that Steve Jacobs listed in his letter of August 9, 2007 have been addressed. The road name has been approved by the Fire Chief and the Assessor.

Ms. Carson read a letter dated September 9th, 2007 from property abutter Fred M. Meyer of 681 Main Street who could not be in attendance. He expressed a concern regarding the grading plan proposed for the retention pond at his north boundary. The area is currently heavily wooded and Mr. Meyer desires that it remain so as a buffer between his property and the subdivision. Ms. Carson pointed out that the letter came before the revisions to the drainage basin. Mr. Palmberg added that with the relocation of the

retention basin, very minimal grading is necessary in the area. Furthermore, due to the lack of grading there is no need to disturb the tree buffer zone.

Brad Pellissier opened the floor for comments from the public. There was no public participation.

At 7:42pm, a motion was made by Greg Genlot, seconded by Joe Iadarola and unanimously voted to continue the public hearing for Horizon View Estates, LLC's subdivision application #403 for 9 lots at 88 Battle Street (Pine Knob Estates) to Thursday, September 27th, 2007 in the Town Hall beginning at 7:00pm.

II. CALL TO ORDER

Secretary Brad Pellissier called the meeting to order at 7:43 p.m. Present were Members Brad Pellissier, Greg Genlot and Alternate Joe Iadarola (seated for Cliff Bordeaux) constituting a quorum. Town Planner Patrice Carson was also present.

III. OLD BUSINESS:

a. DISCUSSION /POSSIBLE DECISION: SPECIAL USE PERMIT APPLICATION FOR SHADY LAKE ARH PROJECT, 31 SOUTH ROAD, SHADY LAKE LLC

Ms. Carson said that of the conditions to be met, three had already been met, ten were standard conditions and the remaining six are housekeeping issues.

A motion was made by Joe Iadarola, seconded by Greg Genlot and unanimously voted to approve Shady Lake, LLC's Special Use Permit for a 32-unit Age Restricted Housing project on South Road (CT State Route 83), in accordance with the plans known as "Shady Lake Estates Active Adult Community, Prepared for Shady Lake LLC, Showing Property at 31 South Road, Somers, Connecticut", dated: August 2, 2006, August 3, 2007, 8/8/07, May 17, 2005, Aug. 2, 2007, July 12, 2006, 6/20/06, 9/1/06, 4/24/07, 9/10/06, 1/24/05, 5/1/07, Feb. 18, 2006, Revised: through 9-11-07, 39 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. Construction of the emergency access in accordance with the plans from Lake Drive including the gate, knox box, and gravel accessway; and
 - b. 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. A cash bond or passbook bond for erosion and sedimentation controls in the amount of \$5,000.00 shall be filed with the Planning Office prior to any work on site.
3. The property is subject to the terms and conditions of the "Declaration of Shady Lake Estates An Age Restricted Residential Condominium Community" 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.

4. Prior to any site work, a pre-construction meeting with the developer, his site engineer and town staff is required.
5. 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.
6. Prior to tree cutting for the trail, field markers will be placed where the trail will be and reviewed by Town Staff.
7. Each unit shall have a deed restriction limiting it to a maximum of one bedroom, filed in the Town Clerk's office prior to the issuance of a Certificate of Occupancy.
8. Prior to the issuance of any Certificate of Occupancy, the developer will provide the town Planning Department with a plan showing the as-built location of each unit including but not limited to decks, patios, driveway, underground tanks.
9. Prior to the issuance of a building permit for the 12th 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.
10. Once the roadway and improvements are 100% complete or prior to the issuance of the Certificate of Occupancy for the 32nd unit, the developer shall submit Final As-Built Plans and certification of the improvements in accordance with the approved plans and specifications to the town.
11. Specifications for the sign that will be attached to the locked chain at the Emergency Access locations shall be added to the detail plan. The sign size, color and labeling shall be specified. The sign shall be reflectorized so that it can be easily seen and the position of the chain made more noticeable.
12. The Emergency Access Road shall be designed and constructed to support the weight of a 40-T Fire Apparatus with a knox box on a gate post to provide access for the Fire Department.
13. The applicant shall obtain a permit from the Department of Transportation for the road entrance at South Road (CT State Route 83) and shall present a copy of the permit to the Planning Office.
14. Two pins shall be added to the plans to be set: corner of Cournoyer & Rendell and corner of Town of Somers & LaRosa. Other pins along the northeastern corner of the property may be required if the area is out of the wetland swamp.
15. A stone fore bay check dike shall be added in the detention basin on Page 6 as was done on Page 10.
16. A note shall be added to the plans stating that the applicant/owners of the property shall maintain, repair and replace the 18" RCP pipe parallel to South Road.
17. All appropriate seals and signatures of the design professionals for this plan shall be on the plans.

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 #403, 8 LOTS, 88 BATTLE STREET (PINE KNOB ESTATES), HORIZON VIEW ESTATES, LLC

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

- c. **OTHER:** There was no other discussion.

IV. NEW BUSINESS

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a. **8-24 REFERRAL: SUBSTANTIAL IMPROVEMENT FOR ELDERLY HOUSING, 79 BATTLE STREET (MAP 05, BLOCK 63), TOWN OF SOMERS**

Developer Harvey Edelstein and Hank Torcellini of Gardner & Peterson Assoc., LLC were present for the applicant. Hank Torcellini gave a presentation about the renovation of the existing Battle Street elderly housing units and construction of a new elderly housing facility.

The new facility will be constructed first. This will enable the residents of the existing units to move to the new location when their units are renovated. The existing units will be increased in size from about 400 square feet to about 730 square feet. The current septic systems will be used with upgrading as necessary to meet DEP regulations. The site will use public water from the end of the existing system across from the Post Office. The wells on the site will be abandoned.

Currently residents are driving across the grass to park near their units. The proposed plan will allow residents to park adjacent to their units. The new building will be surrounded closely by a parking area. Numerous walking trails are planned to connect the site with the Land Trust and Senior Center areas.

To handle the ground water a series of perforated pipes will be used. Roof leaders will be infiltrated into the ground. Water will run naturally off the pavement into two large holes that have been dug. Catch basins have been added near the road so the run-off water can be piped to an existing weir area. The sand and gravel at the site make drainage issues easy to handle.

The applicant has received a preliminary letter of approval from the DEP but review is ongoing.

The lighting plan was discussed. The fixtures will cast light down and the design concept will carry from the renovated units to the new facility.

The architects tried to mirror the traditional New England style of the area in their design by incorporating gabled roofs, double-hung windows and clapboard siding. The units will be completely handicapped accessible.

The current electric heating system will be replaced with propane gas. For the existing units the propane will be in two large underground tanks, individually metered for each unit. Another central tank will serve the propane needs of the new facility.

The current Community Building will be expanded. It will house a large laundry facility, office space, community room and kitchen as well as the mailboxes, patio and barbeque.

There will be many community spaces in the new facility, i.e., a wraparound porch, sunroom, multi-purpose space, laundry room and tenant storage space. There will be one elevator to accommodate the

seventeen rooms on the upper floor. The one-bedroom apartments will range from 680 to 925 square feet and will also have individual hook-ups for their propane heat.

The perimeter tree buffer will be kept intact as much as possible. New shade trees will be planted as needed. A large variety of mostly native species will be planted around the buildings and patios.

Mr. Torcellini referred to a letter he received from Steve Jacobs dated August 23, 2007 and discussed how each item of concern has been addressed.

Mr. Torcelini also discussed each of the concerns that Merv Strauss asked about in his letter to Ms. Carson on September 12, 2007. Mr. Edelstein said they would bring Mr. Strauss a complete set of construction documents containing all this information.

Mr. Edelstein said that all financing is in place but money has not been received. They hope to begin construction in October and to be completed in 27 months.

A motion was made by Greg Genlott, seconded by Joe Iadarola and unanimously voted to accept the new construction on a portion of the town property behind the Town Cemetery on Battle Street and the expansion and renovation of elderly and disabled income-assisted housing known as "Woodcrest" on Battle Street and recommend the same to the Board of Selectmen for their approval and Town Meeting if required, in accordance with the recommendations of the town staff and Section 8-24 of the Connecticut General Statutes. This recommendation is conditioned upon conformance with the comments from the Town Engineer in his letter dated September 12, 2007, and the comments from the Town Sanitarian in his letter dated August 23, 2007. This project is also subject to approval from the DEP for the septic system (s). For the purpose of complying with Section 8-24 of the Connecticut General Statutes, this resolution along with the minutes of the Commission's meeting as to this matter shall constitute the Commission's report for this proposal to be duly recorded and transmitted to the Board of Selectmen of the Town of Somers.
approve.

b. ZONING REFERRAL: SITE PLAN APPLICATION FOR METAL BUILDING FOR INDUSTRIAL USE, 251 FIELD ROAD, SMYTH

Mr. Mocko presented the plot plan and gave a site overview of the proposed 12,000 square foot building. It will sit on a six-acre parcel of land that fronts on Field Road in the industrial zone.

The building complies with all setback and zoning requirements for the industrial zone. The septic system has been approved by Steve Jacobs.

All roof leaders go to infiltrators in either the parking or planting areas. Storm water from the paved parking lot will go to a grass swale and to catch basins, one new, one existing. A screen fence will be installed upon a mounded berm and extend past the end of the building to screen the parking area as well.

The building will be leased to Conval for manufacturing and storage. There will be six to eight employees.

The existing driveway is gravel but the applicant intends to pave with pervious pavement in the spring. This will result in 24% coverage of the six-acre site.

Mr. Mocko discussed the concerns of Mr. Strauss. He explained how the State required 80% mandatory reduction in suspended solids from the storm water was achieved.

A motion was made by Joe Iadarola, seconded by Greg Genlot, and unanimously voted to recommend to the Zoning Commission approval of Smyth's Site Plan Application for a metal building for industrial use at 251 Field Road, subject to satisfactorily addressing Mr. Strauss's outstanding questions.

c. ZONING REFERRAL: SITE PLAN APPLICATION FOR ANTIQUE BUSINESS, 39 SOUTH ROAD, RENDELL

Ms. Rendell had previously run an antique store from the same location with Town approval for this use, but had abandoned the use. She wants to reopen the business and must therefore get another permit. The business will be open Friday to Sunday and she will be the only employee. It is a low impact commercial use in a commercial zone.

A motion was made by Greg Genlot, seconded by Joe Iadarola and unanimously voted to recommend to the Zoning Commission approval of Rendell's Site Plan Application for an antique business at 39 South Road as a commercial business in the commercial zone.

d. Other

Ms. Carson notified the members that an annual report must be filed. She suggested that she would write the report and e-mail it to the Commissioners for approval. The members accepted this suggestion.

V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

There was no discussion.

VI. STAFF/COMMISSIONER REPORTS: There were none.

VII. AUDIENCE PARTICIPATION: There was no audience participation.

VIII. CORRESPONDENCE AND BILLS

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Ms. Carson requested up to \$40.00 to purchase her yearly calendar. A motion was made by Joe Iadarola, seconded by Greg Genlot and unanimously voted to approve payment for the calendar.

IX. MINUTES APPROVAL: JUNE 28, 2007 & JULY 19,2007 & AUGUST 16, 2007

A motion was made by Joe Iadarola, seconded by Greg Genlot and unanimously voted to approve the

August 16, 2007 minutes as written.

A motion was made by Joe Iadarola, seconded by Greg Genlot and unanimously voted to approve the July 19, 2007 minutes as written.

A motion was made by Joe Iadarola, seconded by Greg Genlot and unanimously voted to approve the June 28, 2007 minutes as corrected.

VIII. ADJOURNMENT

A motion was made by Mr. Iadarola, seconded by Mr. Genlott and unanimously voted to adjourn the September 13, 2007 Planning Commission meeting at 9:25pm.

Respectfully submitted,

Jeanne Reed
Recording Secretary

Bradley Pellissier
Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.