

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

**PLANNING MINUTES
REGULAR MEETING
THURSDAY, MAY 8, 2008
7:00 p.m. Town Hall**

I. PUBLIC HEARING:

a. RESUBDIVISION APPLICATION #404, 1 LOT, 539 BILLINGS ROAD & SOUTH ROAD, TULLOCK

Chairman Karl Walton called the public hearing to order at 7:00 p.m. and the legal notice was read.

David Palmberg of William R. Palmberg & Son, Surveyors, presented the plans that are on file with the Town. Currently there is a one-family home with detached garage and other accessory structures on the 3.6-acre property.

The Tullock's propose a resubdivision that would create two lots. Parcel A would have 1.6 acres and would include the existing home. The proposed home would be built on Parcel B, which would be just over 2 acres and would include the garage and accessory structures.

Both lots meet the requirements for the A-1 zone and approval has been given by the Conservation Commission. Steve Jacobs has given conditional approval from the Health Department.

The Tullock's are looking for the Commission's approval to have a lot line non-perpendicular to the street line. This is necessary to accommodate the setback requirements for the existing accessory structures and septic system.

The applicants propose to pay a fee in lieu of open space. They have notified all neighbors within 200 feet and have submitted the certified receipts that were returned to them.

Ms. Carson reiterated that the only outstanding issues are:

- a. The fee in lieu of open space. The appraisal is \$107,000, so the open-space fee would be \$10,700, which would be payable when the property is sold.
- b. The waiver for the property line.
- c. A minimum bond of \$10,000 or the applicant can set the monuments and pins within 90 days.

Mr. Walton asked for Public comment on the proposed resubdivision.

Sherry Brewer, 324 South Road, wanted to know where the new driveway entrance would be and whether the business would continue to operate. She was told by Mr. Tullock that the new drive will be from South Road where the existing driveway is. The business will be sold and the lots will be residential.

At 7:13 p.m. a motion was made by Mr. Pellissier, seconded by Mr. Genlot and unanimously voted to close the Public Hearing on the Tullock's 1-lot Resubdivision Application #404 at 539 Billings Road & South Road.

II. CALL TO ORDER

Chairman Karl Walton called the regular meeting to order at 7:13 pm. Members Cliff Bordeaux, Greg Genlot, Brad Pellissier, Joe Iadarola, Karl Walton and Alternate Scott Sutter were present and constituted a quorum. Town Planner Patrice Carson was also present.

III. OLD BUSINESS:

a. DISCUSSION/POSSIBLE DECISION: RESUBDIVISION APPLICATION #404, 1 LOT, 539 BILLINGS ROAD & SOUTH ROAD, TULLOCK

After some discussion, a motion was made by Mr. Pellissier, seconded by Mr. Genlot and unanimously voted to approve David and Stephanie Tullock's 1-lot resubdivision, application #404, in accordance with the plans known as "Resubdivision Plan Prepared For David K. & Stephanie M. Tullock, Somers, Connecticut", dated: 03-11-08, 04-22-08, revised: through 04-23-08, 4 sheets, which is conditional on the following:

1. A note shall be placed on the plans:
"The filing of a \$10,700.00 fee in lieu of open space (\$5,350.00 per lot) is required to be paid to the Town of Somers upon the sale or transfer of each lot."
The Town of Somers shall also place a notice on the land records to insure payment.
2. Within 90 days of this approval all iron pins and monuments be set and certified in accordance with the plans or a \$10,000 bond received by the Town in accordance with Section 213-54.c. of the Subdivision Regulations.
3. The signatures of the Town Engineer and Town Sanitarian shall be on the plans signifying their approval of the plans in accordance with Section 213-19 of the Subdivision Regulations.
4. All appropriate seals and signatures of the design professionals for this plan shall be on the plans.
5. A Quit Claim Deed shall be provided to the Town of Somers for the strip of land between the road pavement and the street line established by the subdivision plans running along the entire Billings Road frontage of lot #77-14 (539 Billings Road).

The Commission waives the requirement in Section 213-22.C. of the Subdivision Regulations which requires, where practicable lot lines to be either at right angles or radial to street lines.

The Planning Commission finds with these conditions the plan meets the requirements of the Somers

Subdivision Regulations.

b. RESUBDIVISION APPLICATION #405, 6-LOT, 266 GEORGE WOOD ROAD, CAMEROTA

Ms. Carson stated that the Conservation Commission had not made a decision on this application at their meeting on May 7th. She added that staff review of the application has not been completed. She anticipates a June Public Hearing for this application.

c. SUBDIVISION APPLICATION #406, 15-LOTS, 399 FOUR BRIDGES ROAD, SOMERS SUN ESTATES, TWO JS LLC

Staff review of this application has also not been completed, and Ms. Carson is aware of the 65-day timeframe.

d. OTHER – There was no other Old Business.

IV. NEW BUSINESS:

a. REQUEST FOR BOND REDUCTION, WORK IN GILLETTES BROOK SUBDIVISION, BATTLE STREET, LENO

Ms. Carson explained that the drainage and utilities are in and the road has been boxed out. The applicants request a reduction in the bond from \$1,433,098 to \$650,000, a reduction of \$783,098. Mr. Strauss wrote a letter dated May 1, 2008 stating that he is in agreement with the on-site conditions and the estimate.

A motion was made by Mr. Genlot, seconded by Mr. Iadarola and unanimously voted to approve the reduction of KRL Builders, Inc.'s performance bond of \$1,433,098.00 by **\$783,098.00** as permitted by the subdivision regulations to the amount of **\$650,000.00**, for the Subdivision known as "Gillette's Crossing Subdivision" on Battle Street. The Town Engineer has reviewed the construction and agrees with the reduction requested. The reduction of the bond is subject to the presentation of a performance bond to the Planning Office for the reduced amount in the form of Surety, Irrevocable Letter of Credit, or Passbook acceptable to the Town Attorney.

b. OTHER – There was no other New Business.

V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT – There was no discussion.

VI. STAFF/COMMISSIONER REPORTS – There were none.

VII. AUDIENCE PARTICIPATION – There was none.

VIII. CORRESPONDENCE AND BILLS

Ms. Carson presented the following bills to the Commission:

From Merv Strauss for the first quarter, January 1, 2008 to March 31, 2008	\$1,344.30
Journal Inquirer for Meeting of February 28, 2008	\$62.96
Journal Inquirer for Public Hearing & Meeting of April 10, 2008	\$251.84

A motion was made by Mr. Iadarola, seconded by Mr. Pellissier and unanimously voted to pay the bills.

IX. MINUTES APPROVAL: April 24, 2008

Mr. Pellissier recused himself from this portion of the meeting. Scott Sutter was seated for Mr. Pellissier.

A motion was made by Mr. Sutter, seconded by Mr. Iadarola and unanimously voted to approve the minutes of April 24, 2008 as written.

X. ADJOURNMENT

A motion was made by Mr. Iadarola, seconded by Mr. Genlot and unanimously voted to adjourn the May 8, 2008 Planning Commission meeting at 8:00 P.M.

Respectfully submitted,

Jeanne Reed	Bradley Pellissier
Recording Secretary	Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.