

**TOWN OF SOMERS
PLANNING COMMISSION
P.O. BOX 308
SOMERS, CONNECTICUT 06071
PLANNING MINUTES
REGULAR MEETING
Thursday, July 17, 2008
7:00 p.m. Town Hall**

I. PUBLIC HEARING:

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

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

Atty. Joe Capossela of Kahan, Kerensky & Capossela represented the applicant, Michael Camerota, who was in attendance. Atty. Capossela handed in the certified return receipts. He explained that the application, when first submitted on March 25, 2008, had been for a 6-lot subdivision, but it is now for a 5-lot subdivision. The applicant had proposed dedicated open-space but now plans to pay a fee in lieu of open-space.

Sandy Aeschliman, of Aeschliman Land Surveying, explained the plans. This resubdivision further subdivides lot 4 of a previous subdivision. Three of the lots from the previous subdivision were conveyed to family. It is the intention of the owner to sell the balance of the original lots plus the 5 proposed lots.

Mr. Aeschliman discussed Mr. Strauss' review comments of July 9, 2008 as follows:

1. There was a question regarding sight line improvements required across the street. These had been previously approved in 1998 at the time of the first subdivision and will be incorporated into the current resubdivision plan. Regrading will be done within the Town right of way. The original approved site plan was provided to the commission.
2. A driveway that encroached on a Town easement line has been moved and maintains the 75 feet distance from the intersection as required.
3. Several lot lines are not 90° or radial. Two had been previously approved with the last subdivision, one will require a waiver.
4. Per Mr. Strauss' suggestion, the roadway width was reduced to 22 feet.
5. "Sam Meadow Road" has been approved as a paper street by the assessor.
6. Street light locations will be determined in the future by the Selectmen.

7. The performance bond figures were presented.
8. A part of the property was to be conveyed to Mr. Frank Camerota. A copy of this conveyance deed was presented to the Commission.
9. The following required verbiage was added to the plan: "The water assessment fee must be paid to the Town prior to the building permit being issued."
10. The hundred-year flood elevation was documented along with notation of how the figures were determined. John Martucci, of Aeschliman Land Surveying explained how the calculations were done and that Mr. Jacobs had been satisfied with their determination. Ms. Carson and Mr. Strauss both stated that they could not verify what Mr. Jacobs needed to see on the map, so this would need to wait for his approval.

Mr. Aeschliman explained that the road stub to the Eastwood property is feasible. The Rye Hill Circle stub is not feasible because of wetland issues and is not needed for this subdivision.

Ms. Carson reiterated that her list of issues has all been addressed. The Wetlands and WPCA approvals along with the approval letter from Hazardville Water have all been received. Atty Capossela asked for Ms. Carson to enter the Hazardville Water letter into the record, which she did.

Atty. Capossela encouraged the Commission to make their approval contingent upon any open items being resolved. He cited the regulation regarding conditioned approvals. Ms. Carson pointed out that her understanding of the regulation differed from his.

Mr. Walton opened the floor for audience comment.

Marie Burnette, 82 Rye Hill Circle – had questions regarding the subdivision. She wanted to know about how the plans would affect the wetlands, where the homes would be built and whether perk tests had been performed on this land. She also questioned about the road stub off of Rye Hill Circle. Sandy Aeschliman explained that it has been determined that this road is infeasible because of the wetlands. This issue is not a part of the current application, however in the future the Town may abandon this right of way and the property would be divided between the abutters. The locations where the homes are to be built were pointed out on the map. The proposed locations of the septic systems where perk tests were performed were also shown. Ms. Burnette was reassured that any future construction in the wetlands is highly unlikely.

Garry Carra, 102 Rye Hill Circle – had questions regarding pumps that had been installed because of a contamination issue. He also wanted to see the proposed location of the houses, which were shown to him on the map.

There was no other public comment and the applicant's attorney and representatives stated they had nothing further to add.

Mr. Strauss expressed concern regarding accepting bonds based on today's pricing projections in the current economic climate of wildly escalating costs. He sees the potential of too little bond money on a project and no Town mechanism to change the bond amount. This is an issue for future staff discussion. He will give his recommendation on the current application's bonding after he reviews the bond figures which were supplied by the applicant tonight.

Mr. Camerota offered that he would be comfortable with the Commission making approval of the application contingent upon Mr. Strauss determining the bond amount. A discussion ensued regarding outstanding issues needing Mr. Jacobs' approval, the wisdom of making a conditional approval and how this would affect a Public Hearing.

At 7:49pm, a motion was made by Mr. Iadarola, seconded by Mr. Sutter and unanimously voted to continue the Public Hearing of Camerota's Resubdivision Application #405 for 5-Lots at 266 George Wood Road to the Planning Commission's next meeting on Thursday, August 7, 2008 beginning at 7:00pm in the town hall.

II. CALL TO ORDER

Chairman Karl Walton called the regular meeting to order at 7:51pm. Members Karl Walton, Cliff Bordeaux, Joe Iadarola and alternate Scott Sutter (seated for Greg Genlot) were present and constituted a quorum. Town Planner Patrice Carson and Engineering Consultant Mervyn Strauss were also present.

III. OLD BUSINESS:

a. DISCUSSION/POSSIBLE DECISION: RESUBDIVISION APPLICATION #405, 6-LOT, 266 GEORGE WOOD ROAD, CAMEROTA

This item was deferred since the public hearing on the application was continued to the August 7, 2008 meeting.

b. SUBDIVISION APPLICATION #406, 15-LOTS, 399 FOUR BRIDGES ROAD, SOMERS SUN ESTATES, TWO JS LLC – SET PUBLIC HEARING DATE (08/07)

Ms. Carson stated that she has not given Mr. Aeschliman her comments yet, however the other departments have provided their comments. She said that because of the mandatory 65-day time constraint the Public Hearing for this application must begin at the Commission's next meeting.

A motion was made by Mr. Bordeaux, seconded by Mr. Iadarola and unanimously voted to set the Public Hearing date for Two Js LLC's Application #406 for a 15-lot subdivision at 399 Four Bridges Road (Somers Sun Estates).

c. **OTHER** – There was no other Old Business.

IV. NEW BUSINESS:

a. **OTHER** – There was no other New Business.

V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

Ms. Carson provided relevant information from other municipalities regarding open space development regulations for review by the Commission.

VI. STAFF/COMMISSIONER REPORTS – There were none.

VII. AUDIENCE PARTICIPATION – There was none.

VIII. CORRESPONDENCE AND BILLS

Ms. Carson presented a \$185.00 bill for her attendance at the annual Regional Planning Conference in September.

A motion was made by Mr. Iadarola, seconded by Mr. Bordeaux and unanimously voted to pay for Ms. Carson's attendance at the Regional Planning Conference on September 4th and 5th in Providence, RI.

IX. MINUTES APPROVAL: June 26, 2008 – Deferred until the next meeting.

X. ADJOURNMENT

A motion was made by Mr. Bordeaux, seconded by Mr. Iadarola and unanimously voted to adjourn the July 17, 2008 Planning Commission meeting at 8:04pm.

Respectfully submitted,

Jeanne Reed
Pellissier

Bradley

Recording Secretary
Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.