

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

**PLANNING MINUTES  
REGULAR MEETING  
Thursday, August 7, 2008  
7:00 p.m. Town Hall**

**I. PUBLIC HEARING**

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

Chairman Walton called the continuation of the Public Hearing to order at 7:01 pm.

Sandy Aeschliman, of Aeschliman Land Surveying spoke on behalf of Mr. Michael Camerota who was not present. His brother Sal Camerota was in attendance. Mr. Aeschliman said that at the last Public Hearing there were two outstanding issues to be resolved; bonding figures and the flood zone line. Mr. Strauss has provided the bonding requirements which are acceptable to the applicant, and Sanitarian, Steve Jacobs has approved the flood zone demarcation provided by the applicant.

Mr. Strauss had asked for a detail for a clean-out and a detail for a concrete frost wall under the flared-ends in his review letter to the applicant. Mr. Aeschliman provided the revised plans showing those details during this meeting.

Mr. Aeschliman had concerns about Mr. Strauss's bond computations, which were a 100% increase over what Mr. Aeschliman had estimated. Mr. Strauss explained that there were items missing from Mr. Aeschliman's estimate that added about \$90,000 to the bond. In addition, his conference with the chief estimator at the Connecticut DOT convinced him of the need to ensure the Town would be protected in light of the wildly escalating unit costs. This also increased the bond significantly. A discussion ensued regarding the insufficiency of the Town Bond mechanism to address a potential bonding inadequacy.

The floor was opened to public comment for or against the application.

**Joel LaChance, 24 George Wood Road**, wanted to know how many homes would be built in the subdivision and how far back on the lots would they be going.

Ans: There will be a total of five homes and they will go in less than 1,200 feet from the road.

**Eric Young, 15 Rye Hill Circle**, wanted to look at the plans. He had questions about a non-radial lot line within the subdivision and wanted to know if a viability study had been done on the road stub. He also cited the sight line problem on George Wood. He informed the Commission of a discrepancy between the Aeschliman plans and the previous Hesketh plans. Aeschliman shows a 335-foot sight line and Hesketh shows this line to be 285 feet.

Ans: Non-radial lot lines have been approved as long as they are not radically non-radial. The road stub for Sam Meadow Road can come back to George Wood in such a way that it meets the subdivision regulations. The Commission acknowledged the need to correct the discrepancy in the plans.

Mr. Young also cited that a profile was not included in the file. Since it is called a "plan and profile" and based on Mr. Strauss' recommendation that the profile be included, Mr. Young stated that the application is incomplete.

**David Ballard, 47 George Wood Road**, wanted to know if a new road would be constructed that would enter onto George Wood as part of this plan. He pointed out the existing narrowness and poor sight line of George Wood Road. However, Mr. Ballard was reassured after seeing how and where the road would be constructed on the map.

There was no further public comment.

*At 7:21 pm, a motion was made by Mr. Genlot; seconded by Mr. Sutter and unanimously voted to close the Public Hearing for Camerota's resubdivision application #405 for 5 lots at 266 George Wood Road.*

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

Chairman Walton opened the public hearing at 7:22 pm and the legal notice was read.

Mr. Aeschliman represented Jeff Lipton, who was in attendance. He explained that the application is for a 15-lot subdivision on about 27 acres. The subdivision fronts on the north of George Wood Road and west of Four Bridges Road.

At this time most of the requirements of staff review have been met. In the future the applicant hopes to apply for a resubdivision of some of the lots because their perched water table did not meet State health code regulations for septic systems. The applicant will install curtain drains to alleviate the excess water on these lots and reapply in the future to resubdivide.

Mr. Aeschliman addressed Mr. Strauss' comments of 8/5/08:

- He explained that Lot 12 was configured in its unusual manner to minimize the fee when the applicant applies for resubdivision.
- At the planned intersection it is intended to utilize the maximum skew allowable under regulations of 15° from a 90° intersection. Mr. Strauss offered an alternative road plan that would allow an intersection closer to the preferred 90°. Specifics on how changing the plan would change ratios of slope and angels of the lot lines were discussed at length by Mr. Aeschliman, Mr. Strauss and the Commission.
- Mr. Aeschliman said that he would discuss the revised location of curtain drains proposed by Mr. Jacobs with him. He said that although he was not opposed to changing the placement of the drains he did not understand the rationale.

The floor was opened for public comment for or against the application.

**Avonne Robbins, 431 Four Bridges Road**, was concerned that her view might be impeded by home construction across from her but was reassured after seeing where building was planned.

**David Ballard, 47 George Wood Road**, wanted to see on the plans where the road intersection with George Wood was to be constructed. He is concerned with the safety at this intersection since George Wood is very narrow and vegetation obscures the sides of the road.

The Commission explained that George Wood will be widened by 7 or 8 feet in that area on Mr. Lipton's side of the road. However, the applicant will be required to either plant or retain some trees along the side of the road. Mr. Ballard said he was happy to hear of the road widening.

**Joel LaChance, 24 George Wood Road**, had concerns regarding how the road widening would affect the ditch that runs along Mr. Lipton's side of the road. He stated that a great deal of water runs in this ditch and he is concerned that filling the area to widen the road could reroute the water onto his land. Mr. LaChance approves of the subdivision and approves of the plans to divert the water.

**Luann MacIntosh, 372 Four Bridges Road**, was curious as to where the road would intersect with Four Bridges. The intersection was shown to her on the plans. She asked if all the proposed homes will be on septic and was told they will. She was also reassured that the proposed drainage system will alleviate her water problems. In answer to

her other questions, she was told that the subdivision will have a maximum potential of 20 typically 3 or 4 bedroom homes on minimum one-acre lots. There are no regulations regarding hours of construction, however typical hours would be Monday through Friday from 7:00 am to 3:00 pm. But the Commission could not guarantee these times.

**Jerome Kulas, 31 George Wood Road**, expressed his concerns regarding the narrowness of George Wood and asked if the Town plans to widen this road or install drainage. He was told that the planned changes may alleviate the problems he is having regarding road width and water as well.

**Rob Samson, 332 Hall Hill Road**, wanted to see on the plans where the proposed new wetland on the property would be created. The proposed detention basin in the plan was pointed out. He had concerns that creation of this wetland could adversely affect his property or that regrading could cause his well to become polluted with toxins or fertilizer from the property. The proposed drainage plan should prevent this and furthermore should improve his water problems.

**Eric Young, 15 Rye Hill Circle**, pointed out a discrepancy in the regulations: one of the sections states streets shall be designed to meet at right angles and in another section a 15° deviation is allowed. These sections are in conflict and Mr. Young would like to see the regulation corrected.

There was no further public comment, but additional information is needed.

*At 7:50 pm, a motion was made by Mr. Iadarola; seconded by Mr. Sutter and unanimously voted to continue the public hearing for Two Js LLC Subdivision Application #406 for 15-Lots at 399 Four Bridges Road, Somers Sun Estates to Thursday, September 11, 2008 beginning at 7:00 pm in the Town Hall.*

## **II. CALL TO ORDER**

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

## **III. OLD BUSINESS:**

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

*A motion was made by Mr. Genlot; seconded by Mr. Pellissier and unanimously voted to approve Michael Camerota's 5-lot resubdivision, application #405, in accordance with the plans known as "Resubdivision Plan Camerota Resubdivision Prepared For Michael Camerota, Somers, Conn.", dated: 3-18-08, revised: through 7-17-08, 14 sheets, which is conditional on the following:*

- 1. A note shall be placed on the plans:  
"The filing of a \$14,500.00 fee in lieu of open space (\$2,900.00 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. A bond for site improvements in the amount of \$636,900.00 and in a form acceptable to the Town Attorney shall be filed with the Planning Office as required by Section 213-54.*
- 3. 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.*
- 4. 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.*
- 5. All appropriate seals and signatures of the design professionals for this plan shall be on the plans.*

6. *In accordance with Section 213-46. the developer shall install streetlighting as required and approved by the Selectmen.*
7. *“No Parking This Side of Street” signs shall be posted for the entire length of the new road, “Sam Meadow Road” on one side of the street chosen by the Fire Chief prior to installation.*
8. *The maker of the hydrodynamic separator to be installed shall be approved by the Public Works Department and the computations supporting the sizing of the unit shall be approved by the Town Engineer.*
9. *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 frontage of George Wood Road.*
10. *The sight line numbers on the Aeschliman plan be amended to reflect the F.A. Hesketh information.*

*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. DISCUSSION/POSSIBLE DECISION: SUBDIVISION APPLICATION #406, 15-LOTS, 399 FOUR BRIDGES ROAD, SOMERS SUN ESTATES, TWO JS LLC**

This public hearing was continued so there was no further discussion.

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

**IV. NEW BUSINESS:**

**a. REQUEST FOR BOND REDUCTION, WORK IN PINE KNOB ESTATES SUBDIVISION, BATTLE STREET, GINGRAS**

Mr. Strauss reviewed the bond and found that it cannot be reduced less than \$123,691.00 which is 30% below the original bond figure. Mr. Strauss recommends accepting this amount because, using the new unit prices and an increase for inflation, his calculations came to only \$80,000.

*A motion was made by Mr. Sutter; seconded by Mr. Pellissier and unanimously voted to approve the reduction of Horizon View Estates, LLC's performance bond of \$412,304.00 by **\$288,613.00** as permitted by the subdivision regulations to the amount of **\$123,691.00**, for the Subdivision known as “Pine Knob Estates 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**

The Commission had read the regulations from other towns and strongly favored Ledyard's regulation.

**VI. STAFF/COMMISSIONER REPORTS – There were none.**

**VII. AUDIENCE PARTICIPATION – There was none.**

**VIII. CORRESPONDENCE AND BILLS – There were none.**

**IX. MINUTES APPROVAL:** June 26, 2008

*A motion was made by Mr. Iadarola; seconded by Mr. Sutter and passed by a vote of 4 in favor, 0 opposed, and 1 abstention (Pellissier) to approve the minutes of June 26, 2008 as written.*

**X. ADJOURNMENT**

*A motion was made by Mr. Sutter; seconded by Mr. Pellissier and unanimously voted to adjourn the August 7, 2008 Planning Commission meeting 9:00 pm.*

Respectfully submitted,

Jeanne Reed  
Recording Secretary

Bradley Pellissier  
Commission Secretary

***MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.***