

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

**PLANNING MINUTES
REGULAR MEETING
THURSDAY, SEPTEMBER 1, 2009**

I. PUBLIC HEARING

**a. SUBDIVISION APPLICATION #408, 3-LOTS, 145 HIGHLAND VIEW DRIVE,
MACCORMACK**

Christopher Stinson of Alford Associates represented Mr. MacCormack who was present. He explained the status of this application for re-subdivision of an existing lot on Highland View Drive. They have received a Wetlands permit and approval from the Sanitarian for septic systems to accommodate three houses. However, the septic system regulations have changed since the original plans were drawn. To meet the current standards, curtain drains have been installed on the property to drop the water table. Mr. Stinson pointed out that these curtain drains are self-contained on each lot. (Wetland's approval was received to install the drains.)

Despite this corrective action one home can have only two bedrooms, one can have three bedrooms and one can have four bedrooms. The applicant had hope for the homes to have five bedrooms. The square footage of the homes is not limited by the size of the septic system. The Sanitarian has allowed for further testing to be done next spring. If this testing shows that the water level has been sufficiently lowered the septic size could possibly be increased to allow for more bedrooms per house.

Utilities and water lines already exist on the street. Trees will be planted along the street to screen the properties.

Mr. Cafarelli stated that all issues on his checklist have been satisfied. However, the applicant feels that the fees for re-subdivision are excessive. Mr. Cafarelli is researching for precedent when fees are paid for sub-division and the then paid again upon re-subdivision. The Commission explained that the fees are charged by the Town on the land as they find it but agreed to continue the Public Hearing to allow the research.

Mr. MacCormack explained that he has spent about \$70,000 on the curtain drains and hopes that he can contain his cost for fee in lieu of open-space. The Commission stated that the Town would not be interested in taking open-space land on this lot.

A discussion ensued regarding particulars on the curtain drain. It was suggested that notation be made on the deeds that the homeowner is responsible for maintenance of his curtain drain.

No one spoke for or against the application.

A motion was made by Mr. Pellissier; seconded by Mr. Genlot and unanimously voted to continue the Public Hearing on MacCormack's subdivision application #408 for 3-lots at 145 Highland View Drive until September 24th.

II. CALL TO ORDER

Vice-Chairman Cliff Bordeaux called the regular meeting to order at 7:37 pm. Members Cliff Bordeaux, Brad Pellissier, Greg Genlot, Bob Salka, Tom Clark and alternate Tim Carravella were present and constituted a quorum. Also present: Town Engineer, Bob Cafarelli.

III. EXECUTIVE SESSION

a. MEET WITH TOWN ATTORNEY TO DISCUSS PENDING CLAIMS AND LITIGATION:

GEORGE SCHOBBER VS TOWN OF SOMERS

A motion was made by Mr. Salka; seconded by Mr. Clark and unanimously voted to go into executive session and to invite Selectmen Pinney and Devlin and Town Attorney Karl Landolino.

The regular meeting reconvened at 8:24pm.

IV. OLD BUSINESS

a. SUBDIVISION APPLICATION #407, 3-LOTS, 380 FOUR BRIDGES ROAD (FOUR BRIDGES ESTATES), LIPTON

Mr. Lipton explained that the road study determined that nothing needed to be changed on the east side of the road. Widening of the west side of the road is detailed in the previously approved subdivision, and is not a factor in this subdivision. Mr. Lipton's engineer submitted a report showing that the traffic flow is acceptable with widening on the west side of the road only. The traffic count is about 800 vehicles per day and the road width will be good for up to 1,500 vehicles per day. He gave a verbal history of the lot and the planned subdivision to the Commission for the benefit of the new members.

A motion was made by Mr. Pellissier; seconded by Mr. Genlot and unanimously voted to approve Two J's LLC's 3-lot subdivision, application #407, in accordance with the plans known as "Four Bridges Estates prepared for Jeff Lipton, Somers, Conn.", dated: 03-24-09, revised: through 07-07-09, 8 sheets, which is conditional on the following:

- 1. A note shall be placed on the plans:
"The filing of a \$17,000 fee in lieu of open space (\$5,666.67 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 note on the land records to insure payment.*
- 2. 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.*
- 3. All appropriate seals and signatures of the design professional for this plan shall be on the plans.*
- 4. All proposed iron pins are to be set prior to the issuance of a Certificate of Occupancy.*
- 5. In accordance with Section 213-46, the developer shall install street lighting as required and approved by the Selectmen.*

The Planning commission finds with these conditions the plan meets the requirements of the Somers Subdivision Regulations.

A discussion took place regarding the equity of the current fee-in-lieu of open-space regulation as it relates to subdivisions and subsequent re-subdivisions of large parcels, especially farmland.

b. SUBDIVISION APPLICATION #408, 3-LOTS, 145 HIGHLAND VIEW DRIVE, MACCORMACK

Discussion postponed as Public Hearing was continued.

c. DISCUSSION ON PROVISIONS FOR PLANNING CONSULTANT

Vice-chairman Bordeaux read to the Commission his draft of a Request for Proposal (RFP) for the Planning Consultant. Familiarity of Somers Zoning Regulations and Somers Plan of Conservation and Development were listed among other requirements of the position.

The Commission discussed what requirements they felt should be included in the RFP and what issues a consultant could be helpful with. The Selectmen suggested that the consultant could provide assistance in pursuing grant opportunities and that this person should have a familiarity with polling instruments.

Chairman Bordeaux will e-mail the draft RFP to the Planning Commission for their review and comment. After review at the next meeting the RFP will be forwarded to the CFO and the Town Attorney.

V. NEW BUSINESS

There was no New Business.

VI. STAFF/COMMISSIONER REPORTS

Mr. Cafarelli explained the status of the Roulier subdivision at Bob-O-Link Lane. He went to the site with a representative from Lane, the firm who will be doing the top course. They marked out areas on the existing unpaved road where the under course is deteriorated. The contractor will need to restore these areas before the road is paved. The possible legal ramifications were discussed regarding the Town's current policy of plowing these unfinished roads.

Because there are three new members to the Planning Commission, all of the Commissioners introduced themselves and gave a brief bio.

Vice-Chairman Bordeaux reported that Chairman Walton has resigned his position to Town Clerk Ann Marie Logan. The Commission will need to consider reconfiguring titles of the Planning Commissioners at the next meeting.

Mr. Cafarelli provided two suggested motions for the Highland View Subdivision application to be reviewed by the Commission for the next meeting.

VII. AUDIENCE PARTICIPATION - There was none.

VIII. CORRESPONDENCE AND BILLS

A motion was made by Mr. Genlot; seconded by Mr. Pellissier and unanimously voted to transfer \$2,000.00 from the Legal account to the Planning Legal account.

IX. MINUTES APPROVAL - June 6, 2009

A motion was made by Mr. Pellissier; seconded by Mr. Salka and unanimously voted to approve the minutes of August 6, 2009.

X. ADJOURNMENT

A motion was made by Mr. Salka; seconded by Mr. Clark and unanimously voted to adjourn the September 10, 2009 meeting of the Planning Commission at 9:38pm.

Respectfully submitted,

Jeanne Reed
Recording Secretary

Bradley Pellissier
Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING