

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

**PLANNING MINUTES
REGULAR MEETING
MAY 27, 2010
TOWN HALL – 7:00 pm**

I. CALL TO ORDER:

Chairman B. Pellissier called the regular meeting of the Planning Commission to order at 7:00 pm. Members G. Genlot, T. Clark, W. Salka, and alternate members, S. Sutter and T. Caravella were present and constituted a quorum. Also present: B. Cafarelli, Town Engineer.

II. OLD BUSINESS:

a. North Farm Estates Resubdivision: John Bernier

Mr. Cafarelli informed members that the Applicant has submitted resubdivision plans for signatures. He pointed out the approval date of 2/17/2010 (date of Appeal decision).

III. NEW BUSINESS:

a. Zoning Referral: Special Use Permit Application for Gravel Bank, South Road, Pleasant View Farms Realty

Mr. Cafarelli submitted a copy of his memo to the Commission regarding this Application. He added that although there has been no activity over the last year, the Applicant wishes to keep his permit active. Mr. Cafarelli visited the site on 5/21/10 and confirmed no activity at the site.

A motion was made by Mr. Genlot to refer this application back to the Zoning Commission with a positive recommendation; seconded by Mr. Salka, and then unanimously voted by members as approved.

b. Zoning Referral: Special Use Permit Application for Gravel Operation, South & Egypt Roads, Charter

Mr. Cafarelli submitted a copy of his memo to the Commission regarding this Application. He pointed out this Application is for two operations. The first site (E-4) is complete and has been inspected by Mr. Cafarelli and Jim Taylor, the Zoning Enforcement Officer. The majority of sloped areas of the site have been loamed, seeded and vegetation established. There is an exception of the eastern slope; which was only recently seeded, and vegetation is not established as yet.

Mr. Cafarelli mentioned a property pin located in an excavated area needs to be reset by a land surveyor.

A motion was made by Mr. Genlot to refer this application back to the Zoning Commission with a positive recommendation with an additional condition that the bond remain in place until vegetation fills

in and the property pin is reset; seconded by Mr. Clark, and then unanimously voted by members as approved.

c. Zoning Referral: Special Use Permit Application for Gravel Bank, 164 Hampden Road, Grower Direct Farms

Mr. Cafarelli submitted a copy of his memo to the Commission and a letter he received from the Applicant, stating their intent not to renew the Special Use Permit this year, due to economic conditions. He and Jim Taylor, the Zoning Enforcement Officer, visited the site on 5/21/2010 and confirmed there appeared to be no activity in the last year. Mr. Cafarelli stated in his memo that erosion problems noted in 2009 seem to have been corrected.

Mr. Pellissier pointed out that there is no action to be taken at this time by the Planning Commission.

Applicant represented by Jay Ussery, of J.R. Russo & Associates,

d. Zoning Referral: Special Use Permit Application for Gravel Bank, Stafford/Root/Wood Roads, Wood Gravel Operation LLC

Mr. Cafarelli submitted a copy of his memo to the Commission regarding this Application. The Applicant was represented by Jay Ussery, of J.R. Russo & Associates. Mr. Cafarelli and Jim Taylor, the Zoning Enforcement Officer, visited the site on 5/21/10, and found it to be a clean and well-run operation.

A motion was made by Mr. Salka to refer this application back to the Zoning Commission with a positive recommendation; seconded by Mr. Genlot, and then unanimously voted by members as approved.

e. Bond Release Request: Shady Lake

Mr. Cafarelli submitted a copy of a letter he received from the Applicant, requesting release of the bond. He informed the Commission that the bond was reduced 2 years ago from \$24,000.00 to \$10,000.00. At issue is EMS Vehicle access, so Mr. Cafarelli asked the Fire Marshall to conduct his own inspection. Per a copy of an email distributed, from Bob Morpurgo, Fire Marshall, access was found to be acceptable.

Mr. Pellissier mentioned to the Commission his recall of the original approval being contingent upon additional access through Geissler's Plaza (abutting site). He added that he thought there was also a letter as part of the original application, with the Applicant agreeing to this. Mr. Genlot stated he recalled the contingency as well. Mr. Cafarelli agreed to review the original file and report his findings to the Commission on this question.

Mr. Pellissier recommended that no action be taken at this time by the Planning Commission, until the question of access can be reviewed and confirmed (or not) by the original file.

f. Lot Reconfiguration: 408 Mountain Road, Winthrop Stevenson and Polly McCranie

Mr. Cafarelli reminded Commission members, this Application is resulting from the Town's desire to purchase a 30.5-acre parcel as open space. The Applicants are seeking to reconfigure the lot to carve off just enough space for the existing house. Mr. Cafarelli asked Steve Jacobs, Town Sanitarian, and Jim

Taylor, the Zoning Enforcement Officer, to visit the site. Mr. Jacobs was satisfied. Mr. Taylor was concerned with making a non-conforming lot more non-conforming. He recommended moving the property line to the edge of the brook; thereby keeping as much flat area on the lot as possible.

The Applicant was represented by Jay Ussery, of J.R. Russo & Associates, who addressed the Commission members. Mr. Ussery pointed out (on the Site Map) that the property line was re-drawn, the line moved (approx. 40 feet).

A motion was made by Mr. Salka to approve the reconfiguration of property of Winthrop Stevenson and Polly McCranie at Mountain Road, as shown on a map entitled, "Lot Line Reconfiguration Plan, prepared for Winthrop Stevenson and Polly McCranie, 408 Mountain Road, Somers, Connecticut." 1 sheet dated 9-16-09, revised 2-18-10 and 4-23-10 and 5/27/10. This reconfiguration does not constitute a subdivision because the lot created is for municipal, conservation or agricultural purposes. The motion was seconded by Mr. Genlot, and then unanimously voted by members as approved.

g. Lot Reconfiguration: 31 Oak Grove Drive, Kalish

Mr. Cafarelli informed the Commission that Mr. and Mrs. Kalish are requesting a lot line reconfiguration to where they thought they owned but did not. He also recommended continuing this item, submitting a copy of a letter he received from Steve Jacobs, Town Sanitarian. Mr. Jacobs' letter outlined additional information he needed in order to consider the Applicant's request.

The Applicants (Kalish) were in attendance and addressed the Commission. They stated they had never known the property line was wrong and questioned the need to survey the neighbor's property as outlined in Mr. Jacobs' letter.

Mr. Pellissier explained to them the Town's need to know locations of house, septic systems, and waterways on site maps. Additionally, they would need to respond to Mr. Jacobs' requests before the Application can be reviewed by the Planning Commission.

Mr. Pellissier recommended this item be continued to the next Planning Commission meeting. He added that this Lot Reconfiguration Application has a noted start date of 5/25/10.

IV. OPPORTUNITY FOR COMMISSIONERS TO ADD AGENDA ITEMS:

None.

V. STAFF/COMMISSIONER REPORTS:

No reports were presented. Mr. Cafarelli did inform members that construction at High Meadows did begin.

VI. AUDIENCE PARTICIPATION:

None.

VII. CORRESPONDENCE AND BILLS:

Mr. Cafarelli submitted the following invoice for payment:

Journal Inquirer

\$70.83

A motion was made by Mr. Genlot to pay this invoice; seconded by Mr. Clark, and then unanimously voted by members as approved.

VIII. MINTUES APPROVAL: (4/22/10):

Mr. Pellissier asked the members for comments or corrections on the 4/22/10 Minutes. None were brought forth.

A motion was made by Mr. Clark to approve the 4/22/10 Minutes as written; seconded by Mr. Caravella, and then unanimously voted by members as approved.

IX. ADJOURNMENT:

A motion was made by Mr. Caravella to adjourn; seconded by Mr. Salka, and unanimously voted to adjourn the May 27, 2010 Regular Meeting of the Planning Commission at 7:51 pm.

Respectfully submitted,

William Salka, Secretary

Kimberly E. Dombek, Recording Secretary