

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

**ZONING MINUTES  
REGULAR MEETING  
JULY 23, 2007 - 7:00 p.m.  
TOWN HALL**

**I. PUBLIC HEARING**

**a. Zoning Regulation Amendments for Somersville Center Overlay District**

Chairman Rob Martin called the public hearing to order at 7:00 p.m. The legal notice was read.

A presentation was made by Landscape Architect Aris Stalis, the consultant who helped the Somersville Planning Committee compile the information presented. He noted that they were seeking to create a more pedestrian-friendly environment to help promote opportunities for economic development and develop the site in a way which creates more opportunities and gets more value out of the Somersville Center Overlay District.

Mrs. Carson explained that the Somersville Planning Committee sent a recommendation to the Zoning Commission for a Zoning Regulation change in accordance with the Plan of Conservation and Development. The regulations have been amended to include minor recommendations from the Planning Commission and the Town Attorney. The proposed amendment was reviewed item by item.

**Carole Pyne, 46 Sunset Drive**, spoke in favor of the amendment. She stated that she liked the whole plan.

**David Reed, 32 Mountain View Road**, Chairman of the Somersville Planning Committee, stated that the Committee met for approximately 6 months and held 2 well-attended public hearings. He added that the whole idea was to make the area a showcase and a fun place to live and to grow, the way it used to be. The mill, which may potentially be developed into a housing area, as well as the new age restricted housing have a nice pedestrian center in the middle and things are already beginning to develop in the area just on the promise of the plan. The recommendations made are another tool for continued progress. He gave full support to the plan.

Mrs. Carson also noted that the first Farmer's Market had recently been held and well received.

**Malcolm Chadborne, 50 Nutmeg Drive**, also spoke in favor of the project.

**Jeff Lipton, 452 South Road**, owner of Joanna's Restaurant, asked a few questions about what effects the regulation would have on his restaurant, including the parking area and the potential for seating outside in the front. Discussion followed about the parking details of the proposed amendment. He asked if

someone purchases his restaurant and banquet facility would they be able to utilize the property for the same purposes it is being used for now. Mrs. Carson stated that they would be able to.

**Ann Levesque, 230 Four Bridges Road**, spoke in favor of the project.

**David Pinney 214 Maple Street**, stated that he is in favor of the proposed changes. He added that they represent an important component of the future of Somersville. He thinks that people will have wonderful opportunities with a nice amount of commercial activity available to them in the area. The increased pedestrian activity will be of benefit to the town as well. The regulations would bring a lot of good things to the Town.

**Attorney John Woodcock, 395 Buckland Road, South Windsor**, spoke on behalf of John and Joe Dzen. He noted that they are not in opposition to the amendment, with the exception of the provision prohibiting gas stations in that area of Somers. He felt there weren't enough gas stations in the general area driving on Route 190. He gave a brief history of his clients' interaction with the Town regarding their business. The Dzens have entered into a purchase and sale agreement with Cumberland Farms. He expressed concern about what an approval of these regulations would mean for the Dzens and asked the Commission to let them go through with their contract with Cumberland Farms.

Wes Smith stated that the prohibition of gas stations fit in with the Commission's movement of the buildings to the front of the lots and making the area more pedestrian friendly.

**Attorney Allison McKeen, Shipman and Goodwin**, spoke on behalf of Cumberland Farms requesting that the town work with them to allow Cumberland Farms to open a business at the Dzen's property in Somers. She noted that the setback requirement and prohibition of gasoline sales would prevent them from coming into town, as well as the requirement for no underground storage tanks and asked that if the regulation were passed, that it would be passed without the inclusion of those three items.

**Joe Dzen, 103 Main Street**, also asked that the Cumberland Farms be allowed into their building as well. He added that he is definitely not against the proposed regulation, but just is seeking to have modifications made to it.

**Steve Getman, 19 School Street**, noted that Cumberland Farms was in town before, and right on Main Street just about 5 buildings down from Dzens. But they removed their business, leaving a vacant building for years which did nothing for the town. He felt that Cumberland Farms just want the regulations to suit their own needs when they want and if they wanted to be there, they should have stayed. He noted that he is in favor of the proposal.

**Mike Redmond, 138 Main Street**, asked about how the regulations would impact his property. Discussion followed about building on his lot.

**Joanne Chadborne, 50 Nutmeg Drive**, asked if anything was going to happen with the intersection at the corner of Shaker Road near Quality Avenue. It was noted that this area is not included in this project but it is part of the corridor study and the DOT has looked at the area.

Discussion followed about the Plan of Conservation and Development and the reasons the Committee came to the conclusion to prohibit gas sales and underground fuel storage tanks in the area.

A motion was made by Jill Conklin, seconded by Ray Hafford and unanimously voted to close the public hearing at 8:19 p.m.

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**II. CALL TO ORDER**

Chairman Rob Martin called the regular meeting of the Zoning Commission to order at 8:20 p.m. Members Jill Conklin, Ray Hafford, Rob Martin, and Wes Smith were present and constituted a quorum. Town Planner Patrice Carson was also present.

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**III. INTERVIEW DESIGN REVIEW BOARD CANDIDATES** – There were none.

**IV. MINUTES APPROVAL**

A motion was made by Jill Conklin, seconded by Ray Hafford and unanimously voted to approve the minutes of the July 9, 2007 meeting as written.

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**V. OLD BUSINESS**

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**a. Discussion/Possible Decision: Zoning Regulation Amendments for Somersville Center Overlay District**

The Commission discussed all the comments received at the public hearing. Wes Smith stated that passing the amended regulations without the prohibition on underground storage tanks and gas stations, and the maximum frontage would basically remove most of the key elements the Commission sought to change with the regulations. He also felt having a gas station at the beginning of this “Gateway Zone” and one at the end was not the intention of the Commission and that there were plenty of gas stations along Route 190, including in and out of Somers.

After brief discussion, a motion was made by Wes Smith, seconded by Ray Hafford and unanimously voted to approve the Zoning Regulation Amendments for the Somersville Center Overlay District with the town attorney’s amendments and the Planning Commission amendments as noted. The amendment will be effective Thursday, July 26, 2007.

**b. Other** – There was no other Old Business.

**VI. NEW BUSINESS**

**a. Site Plan Application for Metal Building, 251 Field Road, Smyth**

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The Commission reviewed the application for a metal storage building. No final plan has been received

yet because revisions are still being made. The purpose of accepting it at this time is to get the clock running for the applicant.

A motion was made by Wes Smith, seconded by Ray Hafford and unanimously voted to accept Smyth's Site Plan application for a metal building at 251 Field Road. Referrals will take place when the final plan is submitted.

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**b. Site Plan Application for Office Space & Industrial Use, 27 Quality Avenue, Guisti**

Mrs. Carson showed the Commissioners Mr. Guisti's plan to expand his business into the rest of the building and asked whether this should be a staff review or if they wished to have it brought before the Commission. It was the consensus of the Commission to have staff oversee the plan since the business being expanded is already there.

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**c. Other** – There was no New Business.

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**VII. DISCUSSION: PLAN OF CONSERVATION AND DEVELOPMENT**

Mrs. Carson noted that the next item to be discussed is the ridge line issue. She will be sending along notes on the Metacomet Ridge for the Commissioners to review. The Commission already has the town's old ridgeline regulation.

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**VIII. STAFF/COMMISSIONER REPORTS** – Patrice Carson will be emailing the Zoning Enforcement Officer's Report. She is also working on gathering information on outdoor burning furnaces and outdoor garages.

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**IX. CORRESPONDENCE AND BILLS** – None were presented.

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**X. ADJOURNMENT**

A motion was made by Ray Hafford, seconded by Jill Conklin and unanimously voted to adjourn the July 23, 2007 Zoning Commission meeting at 8:57 p.m. It was noted that the next two regular meetings will be Tuesday, September 4 and Monday, September 17, 2007.

Respectfully submitted,

Wesley Smith, Secretary

Robin Timmons, Recording Secretary

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