

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

**ZONING MINUTES
REGULAR MEETING
JANUARY 20, 2009
TOWN HALL - 7:00 p.m.**

I. PUBLIC HEARING

a. SPECIAL USE PERMIT APPLICATION FOR CRUSHING & BLASTING OPERATION FOR NEW HOUSE, 15 LACABANA ROAD, GRALIA

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

Applicant Ernie Gralia presented his plans and explained that he is applying for a permit for blasting and crushing that will be required to build his single family home on lot #4 LaCabana Road. The site contractor Todd Marion and the blasting contractor Ed Caldon were also in attendance to answer questions.

Mr. Gralia explained how the pre-blast survey would be conducted. Video and photos will be taken of the outside and inside of nearby homes prior to the blasting. Seismographic monitors will also be installed on nearby homes.

There was no one from the public to speak for or against the application.

A motion was made by Mr. Fraro; seconded by Ms. Conklin and unanimously voted to close the Public Hearing at 7:04pm.

II. CALL TO ORDER

Chairman Rob Martin called the regular meeting of the Zoning Commission to order at 7:05pm. Members Jill Conklin, Rob Martin, Dan Fraro and Paige Rasid (seated for Wes Smith) were present and constituted a quorum.

III. MINUTES APPROVAL: January 5, 2009

A motion was made by Ms. Conklin; seconded by Mr. Fraro and unanimously voted to defer approval of the minutes of January 5, 2009 until the next meeting.

IV. OLD BUSINESS

a. DISCUSSION/POSSIBLE DECISION: SPECIAL USE PERMIT APPLICATION FOR CRUSHING & BLASTING OPERATION FOR NEW HOUSE, 15 LACABANA ROAD, GRALIA

The Commission noted that the Planning Commission had recommended approval of this application. The Commission discussed acceptable hours for the blasting and crushing operations. A letter was received from Caldon Construction stating a pre-blast survey will be conducted and the appropriate insurance papers will be submitted. Caldon also provided a copy of a letter from PBS Inspections stating that PBS has contracted with Caldon to perform the pre-blast survey. Houses to be surveyed are #84 and #100 Mountain View Road and #3 and #7 LaCabana Road. Homeowners at #87 and #101 Mountain View Road will be formally notified of the blasting.

A motion was made by Mr. Fraro; seconded by Ms. Rasid and unanimously voted to approve Gralia's Special Use Permit application for crushing & blasting operation for a new house at 15 LaCabana Road with the condition that blasting occur between 8:00am to 5:00pm Monday through Friday only, and that a pre-blast survey be conducted.

b. EXECUTIVE SESSION: PENDING CLAIMS & LITIGATION, SMYTH VS. ZONING COMMISSION

A motion was made by Mr. Fraro; seconded by Ms. Conklin and unanimously voted to convene an executive session to discuss pending claims and litigation in the Smyth vs. Zoning Commission suit. Atty. Landolina was invited to attend.

The Commission came out of executive session at 7:55 pm and no votes were taken.

c. OTHER – There was no other Old Business.

V. NEW BUSINESS

a. OTHER – *A motion was made by Ms. Rasid; seconded by Mr. Fraro and unanimously voted to add SITE PLAN APPLICATION FOR CHANGE OF USE TO BUSINESS, 138 MAIN STREET, REDMOND*

Michael Redmond, owner of the business On The Fly Computer Guy, explained that his business is operating from a residential building in a commercial zone. He had previously tried to convert the use of the building to commercial but at the time there was a moratorium because of the Somersville overlay district. Mr. Redmond is asking to have the first floor of the building be for his business and the second and third floors for residential. He pointed out on the plans where his vans are currently parked and where future construction and parking is planned.

A motion was made by Ms. Conklin; seconded by Mr. Fraro and unanimously voted to accept Mr. Redmond's site plan application for a change of use to business at 138 Main Street and refer it to the Planning Commission.

VI. DISCUSSION: PLAN OF CONSERVATION AND DEVELOPMENT

Mr. Martin said that Ms. Carson informed him that at the next meeting they will be reviewing an open-space subdivision regulation, which will include a Zoning Regulation amendment.

VII. STAFF/COMMISSIONER REPORTS

The format of the most recent report from the ZEO was discussed. Ms. Conklin said she had difficulty reading it and Mr. Fraro could not open the Excel attachment.

VIII. CORRESPONDENCE AND BILLS

The following bill was presented for payment:

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| Journal Inquirer | Meeting of December 1, 2008 | \$55.09 |
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A motion was made by Ms. Conklin; seconded by Ms. Rasid and unanimously voted to pay the bill.

IX. ADJOURNMENT

A motion was made by Ms. Conklin; seconded by Mr. Fraro and unanimously voted to adjourn the January 20, 2009 Zoning Commission meeting at 8:05pm

Respectfully submitted,

Wesley Smith, Secretary

Jeanne Reed, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.