

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

**ZONING MINUTES  
REGULAR MEETING  
JANUARY 4, 2010  
TOWN HALL – 7:00 p.m.**

**I. CALL TO ORDER:**

Chairman Rob Martin called the regular meeting of the Zoning Commission to order at 7:04 p.m. Members Rob Martin, Jill Conklin, Dan Fraro and alternate member Paige Rasid (seated for ) were present and constituted a quorum. Also present: John Collins, Zoning Liaison.

**II. MINUTES APPROVAL (11/16/09 and 12/07/09):**

**a. 11/16/2009 Minutes:**

Changes/edits agreed to by the members included:

Page 1, section II a., paragraph 3 – delete “.” (period) after “...Glenn. Hastie...”

Page 1, section II a., paragraph 5 – change “...would be not selling...” to “would be no selling...”

Page 2, section II a., paragraph 7 – delete final sentence, “Mr. Hastie swore...”

**b. 12/07/2009 Minutes:**

None of the members brought forth any changes or edits.

*A motion was made by Dan Fraro; seconded by Ms. Conklin, and unanimously voted to approve the minutes of November 16, 2009, with changes as indicated above and the minutes of December 7, 2009 as previously submitted, were approved with no changes.*

**III. OLD BUSINESS:**

**a. Application for Home Occupation; Michael Okraska, 403 Main Street**

Mr. Martin opened the discussion by mentioning he had visited Hastie Fencing, in East Longmeadow, MA, part of the same commercial enterprise as being requested by Mr. Okraska. He additionally questioned the need for a home based business with the larger commercial site so closely situated to Mr. Okraska’s residence. The members re-stated previously discussed requirements disclosed to Mr. Okraska regarding Home Occupation, i.e. no selling, no outdoor fence displays and Town sign parameters. Discussion then followed as to the need for a clearer definition of “home occupation” as well as issues raised by Mr. Okraska’s application and current signage violation.

Mr. Okraska’s sign is currently in violation of Town Zoning requirements as to its placement. It currently stands within the right of way on Main Street.

*A motion was made by Dan Fraro; to approve the application for Home Occupation and seconded by Ms. Rasid. Ms. Conklin voted to approve, pursuant to the Statement of Use, i.e., no selling, and no displays. Mr. Martin and Mr. Fraro voted to oppose the application, which resulted in the Commission's denial of this application for Home Occupation.*

#### **IV. NEW BUSINESS:**

##### **a. Election of Officers:**

Mr. Collins stated that the Zoning Commission currently has no secretary. After some discussion, Mr. Fraro volunteered for the position. Ms. Conklin and Ms. Rasid pointed out their appointments have expired. Mr. Collins clarified their ability to continue to serve until new appointments are made.

Mr. Martin put forth Ms. Conklin as the prospective new Chairman of the Commission; to which Ms. Conklin agreed.

*A motion was made by Mr. Martin to elect Ms. Conklin as Chairman and Mr. Fraro as Secretary; seconded by Ms. Rasid, was unanimously approved. Therefore, Ms. Conklin will become Chairman, Mr. Fraro, Secretary.*

##### **b. Review of Bylaws:**

Mr. Collins submitted a suggested change in the Bylaws as to Order of Business at a regular meeting. His recommendation was to begin the meeting with the Call to Order, and then followed by Public Hearing(s), if any. Currently the Bylaws Order of Business begins with Public Hearings(s), if any, and followed by the Call to Order.

*A motion was made by Ms. Conklin to approve this change and amend the Bylaws; seconded by Mr. Fraro, and unanimously approved.*

#### **V. DISCUSSION (Other):**

Mr. Martin opened with a request for comments, regarding "Computer Guy on the Fly", a business in Violation of the Zoning Commission on both its sign as well as parking permit (parking needs to be changed from the front to the back of the business). An additional issue identified was the fact that no Site Plan has been submitted.. The sign currently sits in the right of way. Based upon these issues, Mr. Collins stated that a Cease and Desist order is now in place.

A brief discussion of the Town Design Advisory Board followed. As stated by Mr. Collins, this Board is to act in an advisory capacity to the Zoning Commission, and is currently not officially up and running. The First Selectman needs to activate this Board. The Design Advisory Board would meet with individuals and Mr. Collins to make non-binding recommendations as to design parameters, general aesthetics, and retention of the Town's historical nature.

Further regarding street signs, Mr. Collins brought up that due to the upcoming Somers Streetscape plan, Mike Redmond's sign (among others) might also need to be moved.

Mr. Collins also re-introduced as an item of discussion, the Vono Property (residence within a commercial zone), on Maple Street in Somersville. Per the 12/07/09 Zoning Commission Regular

Meeting, it had been agreed that a fence or some screening would be required. Mr. Collins' pointed out that previously no buffer or fence had existed, nor was required.

Ms. Conklin put forth a request for clarification of "In-law Apartments". She was under the assumption that this type of dwelling is not allowed within the Town, and yet conflicting information appears to have been received from the Town Hall when specifically questioned.

Mr. Collins stated the definition should be coined as a "Dwelling Unit", versus "In-law Apartment". As long as there is no separation within the residence, it has 1 street address, 1 main door, no separate utilities, and is set up as "a common household"; there are no Zoning regulations in place, nor would it be prohibited.

#### **VI. STAFF/COMMISSIONER REPORTS:**

There were no Staff/Commissioner reports.

#### **VII. CORRESPONDENCE AND BILLS:**

Mr. Collins submitted 2 invoices (Journal Inquirer) for a total of \$377.76 from the November 16, 2009 and the December 7, 2009 Public Hearings for payment.

*A motion was made by Mr. Fraro to approve and pay these invoices; seconded by Ms. Conklin, and was unanimously approved for payment.*

#### **VIII. ADJOURNMENT:**

*A motion was made by Ms. Rasid; seconded by Ms. Conklin, and unanimously voted to adjourn the January 4, 2010 meeting of the Zoning Commission at 8:09 pm.*

Respectfully submitted,

, Secretary

Kimberly E. Dombek, Recording Secretary