

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

**ZONING MINUTES
REGULAR MEETING
MARCH 15, 2010
TOWN HALL – 7:00 p.m.**

I. CALL TO ORDER:

Chair Jill Conklin called the regular meeting of the Zoning Commission to order at 7:07 p.m. Members: Rob Martin, Dan Fraro and alternate member Paige Rasid, seated for the vacant Commission member seat, were present and constituted a quorum. Also present: John Collins, Zoning Liaison.

II. PUBLIC HEARING

a. Application for Special Use Permit: Carolyn Gall for a Home Occupation Permit to instruct natural birth classes at 76 Billings Road, volume 196, page 771, Somers, CT.

Chair Jill Conklin opened the Public Hearing by introducing herself and Zoning Commission members. She then asked Ms. Gall to outline her application to the Commission and the audience. Mrs. Gall, a certified childbirth educator, is seeking the Special Use Permit to conduct childbirth classes in her home. Classes would be made up of 4 couples, meeting weekly for 12 weeks. Classes will be held in her living room, which is 20% of the home's livable space, meeting the requirement of not more than 25%. Her application included a site plan, which showed the ability to provide necessary parking spaces in her driveway.

Ms. Conklin then asked anyone in the audience if they wished to speak for this application.

Katherine Mashiak, 54 Springfield Road, stated she is in favor of the application.

Jeanne Reid, 32 Mountainview Road, stated she is in favor of the application.

Janine Petrus, 113 Billings Road, stated she is in favor of the application.

Ms. Conklin then asked anyone in the audience if they wished to speak against this application. No members of the audience came forward. At that point, Ms. Conklin brought forth 3 letters received by the Zoning Commission which expressed opposition to Mrs. Gall's application. Ms. Conklin stated they letters would be attached to the application as exhibits and were available for review by both the applicant and Zoning Commission members. She then asked the audience and members for any final comments or questions on this application. Of which, there were none.

A motion was made by Mr. Martin to close the Public Meeting at 7:48 pm; seconded by Ms. Rasid, and then voted unanimously by members to close.

III. MINUTES APPROVAL (2/16/2010):

Ms. Conklin asked members for comments or changes to the February 16, 2010 Minutes. No changes or edits were brought forth.

A motion was made by Paige Rasid to approve the February 16, 2010 Minutes as written; seconded by Mr. Fraro, followed by a unanimous vote to approve.

IV. OLD BUSINESS:

a. Review Meeting Schedule

Mr. Collins reminded members that at the 2/16/10 Zoning Commission Meeting, the group had decided to move to a once monthly (3rd Monday of each month) meeting. He was unable to immediately locate the revised calendar of 2010 meetings to be distributed.

A motion was made by Ms. Rasid to move on to the next agenda item and return to this item; seconded by Mr. Martin, followed by a unanimous vote as agreed.

Mr. Collins returned later in the meeting to this item. He delivered the amendment to the By-Laws outlining the change in 2010 Zoning Commission regular meeting dates. He will bring a schedule to Commission members at the April meeting, and the schedule can be adopted at that time.

V. NEW BUSINESS:

a. Application for Special Use Permit: Carolyn Gall for a Home Occupation Permit to instruct natural birth classes at 76 Billings Road, volume 196, page 771, Somers, CT.

Ms. Conklin re-opened the discussion by asking Members for comments or questions on this application. Mr. Martin asked to review the letters received in opposition.

A motion was made by Mr. Martin to approve Mrs. Gall's Application for Special Use Permit; seconded by Mr. Fraro, followed by a unanimous vote as approved.

b. Handicap Facilities at Worthington Farms.

Mr. Collins told Members that the Applicant is seeking to add handicap-accessible restroom facilities off the kitchen and outdoors. Both are subject to approval from Steve Jacobs, Town Sanitarian. Ms. Conklin, after viewing the kitchen plans, questioned the original Application as having been brought before the Zoning Commission. Mr. Collins replied that the original Use Permit had gotten administrative approval from his predecessor in 2008. Mr. Martin questioned whether the commercial kitchen fits under a Special Use Permit. Ms. Conklin stated the originally approved use was for passive recreational activities, nature walks, special fund-raising events, and star gazing. Some discussion followed as to the evolution of use that appears to have occurred over time.

Ms. Conklin recommended tabling this issue; more information is needed on the original approval and current usage of the site. Mr. Collins will bring additional information regarding this application to the April 19, 2010 Zoning Commission meeting.

A motion was made by Mr. Martin to table further discussion until additional information is made available to the Commission; seconded by Mr. Fraro, followed by a unanimous vote as agreed.

c. Antique Shop: 179 Main Street/SCOD

Mr. Collins stated that the Applicant is requesting administrative approval for a change in use. The site consists of 2 apartments. An earlier retail tenant had vacated the previously approved retail space. Parking is adequate for both.

A motion was made by Mr. Martin to refer this Application for an in-house review to determine specific requirements for approval; seconded by Mr. Fraro, followed by a unanimous vote as agreed.

d. Home Occupations

Mr. Collins mentioned the following Application for Special Use Permit. The application was marked as received and would be referred to the Planning Commission.

- Bruce Tyler, 59 Beverly Drive. An attorney, seeking to establish an office in his home.

VI. DISCUSSION (Other):

Mr. Collins presented a Special Use Permit Application from the Somers Golf Center. The Application seeks to move the Gameroom from its original location, to a separate existing structure on the property. Discussion followed regarding parking lot safety concerns and monitoring.

Mr. Martin recommended that as it is a minor modification, this application should be handled administratively. In a consensus vote that followed: Ms. Conklin, Mr. Martin, and Mr. Fraro voted in agreement as to administrative review; Ms. Rasid voted as opposed.

Mr. Collins introduced the Town's interest in combining the Zoning and Planning Commissions. At this point, Lisa Pellegrini joined the meeting and addressed the Commission on this subject.

Ms. Pellegrini pointed out that 130 of the 169 CT Towns have combined Zoning and Planning boards. She described it as an effort to streamline government, allow for better shared information, and no need for referrals intra-boards. She explained the combined Commission would be made up of 5-7 members; pooled from the 2 Commissions. Ms. Pellegrini asked for member feedback or questions. Members agreed it appeared to be a good idea for the Town.

Mr. Martin then asked Ms. Pellegrini about the status of the Architecture Design and Review Board. She responded that the original ordinance was never adopted. Only meeting had taken place. Basically the group never materialized.

VII. STAFF/COMMISSIONER REPORTS:

There were no Staff/Commissioner reports.

VIII. CORRESPONDENCE AND BILLS:

Mr. Collins submitted the following invoices for payment:

Journal Inquirer (Public Notice)

\$204.62

A motion was made by Mr. Fraro to approve these invoices for payment; seconded by Ms. Rasid, then unanimously approved by the members.

IX. ADJOURNMENT:

A motion was made by Ms. Rasid; seconded by Mr. Fraro, and unanimously voted to adjourn the March 15, 2010 regular meeting of the Zoning Commission at 8:53 pm.

Respectfully submitted,

Daniel Fraro, Secretary

Kimberly E. Dombek, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.