

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

**ZONING MINUTES
REGULAR MEETING
DECEMBER 20, 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 7:00 pm. Members: Dan Fraro, Karl Walton, Rob Martin and alternate member Paige Rasid seated for the vacant seat, were present and constituted a quorum. Also present: John Collins, Zoning Liaison, Town Attorney, Carl Landolina and a number of interested citizens.

II. PUBLIC HEARING

None.

III. MINUTES APPROVAL (11/15/10):

Ms. Conklin asked members for comments or changes to the 11/15/2010 Minutes. She pointed out that on page 3, VI, the 2nd paragraph, the first sentence should read, “Ms. Conklin informed members of a new parking lot she had seen on the site of the old Hall Hill Gardens.”

A motion was made by Mr. Martin to approve the November 17, 2010 Minutes as amended; seconded by Mr. Fraro, followed by a unanimous vote as approved.

IV. NEW BUSINESS:

None.

V. OLD BUSINESS:

- a. **Set time and date of a Public Hearing for the application of Jason Avery for twenty unit (10 duplex) Affordable Housing (C.G.S. 8-30g) at 225 Field Rd., Somers, CT.**
- b. **Set time and date of a Public Hearing for the application of Robert Smyth for twenty unit (10 duplex) Affordable Housing (C.G.S. 8-30g) at 251 Field Rd., Somers, CT.**

Town Attorney, Carl Landolina addressed the Commission, stating his intent to speak in general terms on Affordable Housing, staying away from specifics of this application. He added those should be addressed instead at a Public Hearing.

Mr. Landolina noted that because this is a unique application, some general discussion about this type of application is in order. He reviewed Affordable Housing Appeal Statute (8-30g). He explained that with Affordable Housing applications, the State has decided this type of application would have a

certain priority. He reviewed standard Zoning standards and compliance. Zoning does not have discretion to deny, with exception of Health & Safety concerns. If denied and appealed, the burden of proof on is on the Town and the Zoning Commission.

Mr. Landolina explained with affordable housing 30% of units must be kept affordable for a period of 40 years. And 15% of these must be available to individuals with a 60% median income and spending no more than 30% of monthly income on housing. The other 15% must have an income of not more than 80% of median income. As long as application meets these minimum requirements, it is considered Affordable Housing and the Commission must look at it differently than any other application. He added that essentially standard Zoning regulations and criteria don't apply, with the exception of Health and Safety concerns.

Mr. Landolina finished by stating that the Town Consultant, Glen Chalder, of Planimetrics has given them a copy of his report which reviews some deficiencies of the application his firm identified.

Mr. Martin asked about prior litigation being resolved. Mr. Landolina answered that the case had been withdrawn by the applicant.

Ms. Conklin asked if they were ready to set a Public Hearing date now, or should they wait for the application to be finalized. Mr. Landolina said they are ready, and that there may be changes made to the application prior to Public Hearing.

A motion was made by Mr. Walton to set a Public Hearing date of January 18, 2011 at 7:00 for:

- *Jason Avery for twenty unit (10 duplex) Affordable Housing (C.G.S. 8-30g) at 225 Field Rd., Somers, CT*

and

- *Robert Smyth for twenty unit (10 duplex) Affordable Housing (C.G.S. 8-30g) at 251 Field Rd., Somers, CT.*

The motion was seconded by Ms. Rasid, followed by a unanimous vote as approved.

Ms. Conklin asked members if they had any questions for Mr. Landolina. She asked if these were 2 separate sub-divisions. Mr. Walton said they will be interdependent upon each other at some point but they are 2 separate entities. He added that Mr. Chalder addressed this in his report.

Ms. Conklin then invited Mr. Chalder to speak to the Commission. Mr. Chalder explained that he would assist the Commission on the procedural and technical aspects of the applications. He added that the applicants have constructed the applications because of requirements in State Health Code. That will guide how we review the applications. He added that is would be up to the Applicants to address any concerns.

Mr. Martin asked about auditing of the income levels, who would be responsible for that role? Mr. Landolina responded that the applicant is required to choose an entity to do that, and it is part of the Affordability Plan as part of the application.

c. Proposed lot consolidation for Frank Vono, 112 Main Street, Somers, CT and 11 Maple Street, Somers, CT to allow additional parking for his business at 112 Main Street, Somers, CT.

Mr. Collins referenced a memo distributed to members from Jeff Board, Town Engineer. Mr. Walton stated the memo seems to imply we're proposing a flow of parking from 1 prop to the next, and exiting onto Maple. Ms. Conklin and Mr. Walton didn't think that was under consideration.

Attorney Brian Newman addressed the commission as Mr. Vono's representative. He stated Jeff Bord has reviewed the application, and has given his comments, which have been incorporated in the Applicant's modified Plan. He stated the project engineer, James Sallmi was also in attendance and could answer any questions members might have on design or traffic patterns.

James Sallmi addressed members, laying out a site Plan. He spoke with Jeff Board regarding the plan regarding the flow of traffic. Mr. Bord felt that with angled parking, it creates a 1 way pattern through the lot on Maple. Mr. Bord requested they install a sign, which they have done.

Mr. Sallmi stated they have addressed the Planning Commission's concerns with the original Plan which they have addressed. The revised application now has a paved apron on Maple Street (20 feet wide). Another concern had been with parallel parking along Maple, spots 24 & 25, as too close to the road. They've moved the spots 10 feet back and added a grass strip. Another concern was lot coverage. He referred them to his Note #4 on the Plan. Parcel #1 has 58% impervious coverage; parcel #2 is 9.4%. Mr. Sallmi stated that if the lot consolidation is approved, the combined impervious coverage is 33%.

Ms. Conklin asked if the Planning Commission said anything about removing the 5 foot concrete wheel stops. Mr. Sallmi said no. Mr. Walton stated they are a tripping hazard. Mr. Sallmi said the wheel stops better define the parking spaces.

Mr. Walton asked if the 2 parcels have been combined yet. Mr. Vono stated they are waiting for Planning approval. Mr. Walton asked how could they make a decision tonight. Mr. Collins recommended conditional approval upon lot consolidation approval by the Planning Commission.

A motion was made by Mr. Walton to approve this application contingent upon the Planning Commission's approval of the lot consolidation for Frank Vono 112 Main Street and 11 Maple St, Somers, CT. The motion was seconded by Mr. Fraro, and unanimously voted to as approved.

VI. STAFF/COMMISSIONER REPORTS:

a. Approve Zoning Commission meeting dates for 2011.

Mr. Collins distributed copies of the proposed schedule of meetings for 2011, with 2 meetings per month.

A motion was made by Mr. Martin to accept the Zoning Commission 2011 meeting schedule; seconded by Mr. Fraro, and unanimously as approved.

A motion was made by Mr. Martin cancel the January 4, 2011 meeting; seconded by Mr. Fraro, and unanimously as approved.

VII. CORRESPONDENCE AND BILLS:

Mr. Collins presented the following invoice for payment:

Journal Inquirer	\$330.54
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A motion was made by Mr. Martin to pay the invoice; seconded by Mr. Fraro, and unanimously as approved.

VIII. ADJOURNMENT:

A motion was made by Mr. Martin to adjourn; seconded by Mr. Walton, and unanimously voted to adjourn the December 20, 2010 Regular meeting of the Zoning Commission at 7:57 pm.

Respectfully submitted,

Daniel Fraro, Secretary

Kimberly E. Dombek, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.