

Westbrook Planning Commission Regular Meeting

AGENDA

Monday, October 19, 2020 - 7:00 PM

VIA REMOTE ACCESS – ZOOM Meeting only

Join Zoom: https://us02web.zoom.us/j/85713426677?pwd=VnlxZDUrdXJTTTVpbkNaV1E3ODdLUT09

or one-tap mobile : +16465588656,,85713426677#,,,,,0#,,912566# US (New York)

or Dial by your location: +1 646 558 8656

Meeting ID: 857 1342 6677

Password: 912566

1. CALL TO ORDER

2. SUBDIVISIONS None.

3. TOWN AND GOVERNMENT AGENCY REFERRALS None.

4. ZONING REFERRALS

(a) ZC2020-0010. Modification of Approved Special Permit. 1393 Boston Post Road. Map 177, Lot 132. Owner/Applicant: The Oxford Academy, Inc. Proposal to include pavilion on site plan.

(b) ZC2020-0007. Petition for Change of Zone – Floating Zone. Existing Zones: MDR and NCD. Proposed Zone: PRDD. 6 parcels: Kirtland Street, 26 Kirtland Street, 32 Kirtland Street, 1572 Boston Post Road and 1594a Boston Post Road; Assessor’s Map/Lot #: 177/122. 181/001, 181/002, 181/003, 181/006, 182/003. Owner/Applicant: Dattilo Family Holdings, LLC. Proposal to rezone 9.49 acres +/- to Planned Residential Development District to allow construction of 28 apartment units (Special Permit for condominium is separate application, ZC2020-0009, below.)

(c) ZC2020-0009. Special Permit to create 28 Multi-Family Residential Units. 6 parcels: Kirtland Street, 26 Kirtland Street, 32 Kirtland Street, 1572 Boston Post Road and 1594a Boston Post Road; Assessor’s Map/Lot #: 177/122. 181/001, 181/002, 181/003, 181/006, 182/003. CAM Required. Existing Zones: MDR/NCD; Proposed Zone: PRDD (see application 0007, above). Owner/Applicant: Dattilo Family Holdings, LLC. Proposal to construction of 28 apartment units in four buildings with associated improvements.

5. BILLS

GENERAL ACCOUNTS FY20		SPECIAL FUNDS	
Kathy King – 9/14/20 PC minutes	\$ 78.84	Halloran & Sage	\$ 55.50
		Planimetrics	\$9,000.00
		Shore Publishing -Legal Notice-POCD	\$ 40.00

6. MINUTES

a) Regular Meeting – September 14, 2020

7. OTHER BUSINESS

- a) 2021 POCD
- b) Affordable Housing Plan
- c) 2017 Community Connectivity Grant – Status Update
- d) TAP – Status Update
- e) 2020 STEAP Grant Application – Status Update
- f) 2020 Community Connectivity Grant - Application

8. REPORTS

- 1. Coordinator
- 2. RiverCOG

9. CORRESPONDENCE

10. ADJOURNMENT Attested to: Eric Knapp, Planning, Zoning and Development Coordinator

ZONING REFERRAL

ZC2020-0010. Modification of Approved Special Permit. 1393 Boston Post Road. Map 177, Lot 132. Zone: HDR. Owner/Applicant: The Oxford Academy, Inc. Addition of outdoor covered pavilion (31' x 37') adjacent to Davis Hall to approved special permit.

Coordinator's Comments: As the Applicant has not submitted a full application package, it is premature to review or take action on this application. It should be tabled until November's meeting.



TOWN OF WESTBROOK
ZONING

866 BOSTON POST ROAD
WESTBROOK, CONNECTICUT 06498
(860) 399-3047 • Fax (860) 399-2084

Zoning Referral

To: Westbrook Planning Commission

From: Eric Knapp, ZEO
Westbrook Zoning Commission

Date: September 15, 2020

Re: ZC2020-0007 – 1525 Boston Post Road - Parcel ID 182/011 – Petition to Amend the Zoning Map, Floating Zone from MDR & NCD to PRRD, for Dattilo Village a 28 unit multi-family residential building. Applicant/Owner: Dattilo Family Holdings, LLC, Michael Dattilo. Agent: Alvin G. Wolfgram

A Public Hearing on this proposed landing of the floating zone will be held on October 27, 2020, at 7:00 p.m. in the Multi-Media Room at the Mulvey Municipal Center, 866 Boston Post Road, Westbrook.

If you have any questions or need additional information, I can be reached at 860-399-3041.

Eric Knapp
Planning, Zoning & Development Coordinator

Attachments

ZONING REFERRAL

ZC2020-0007. Petition for Change of Zone – Floating Zone. Existing Zones: MDR and NCD. Proposed Zone: PRDD. 6 parcels: Kirtland Street, 26 Kirtland Street, 32 Kirtland Street, 1572 Boston Post Road and 1594a Boston Post Road; Assessor's Map/Lot #s: 177/122. 181/001, 181/002, 181/003, 181/006, 182/003. Owner/Applicant: Dattilo Family Holdings, LLC. Proposal to rezone 9.49 acres +/- to Planned Residential Development District to allow construction of 28 condominium units (Special Permit for multifamily is separate application, ZC2020-0007.)

Coordinator's Comments: The developer originally said these would be condos. It is now proposed as 28 rental units. This application is to rezone the six properties from their current zones, NCD and MDR, to PRDD, the zone designed for multi-family uses. The idea of creating rental units just off Route 1 through the use of the PRDD is consistent with the general goal of "encouraging housing diversity". The 2011 POCD notes that "(t)he demand for rental housing is increasing as well. While Westbrook has some of these options, it will not likely meet future demand." The discussion of Housing Opportunity Areas on Page 98 of the POCD lays out things that would be desirable for locations that would have rental housing of this sort. Items such as "convenient access to transportation and transit", "availability of water service", "adequate road infrastructure" and "ability to support on-site septic system" can be met at this location. The devil is in the details, though, and those are lacking.

A big question is whether these will be short-term rentals, more consistent with the resort across the street, or true rental apartment buildings. While I have received assurances that it is the latter, I have requested that these assurances be incorporated into the Statement of Use, together with a model lease. Additionally, the Applicant shall include a discussion of how the proposed architecture is "compatible with the neighborhood", how the "placement, size and unit count for all principal buildings shall provide for a safe, efficient and harmonious grouping (shall be in character with the neighborhood in which it is located) and shall include front, side and rear yard requirements that are sufficient to ensure unit privacy.

Because this is the landing of a floating zone, there are items which would usually be addressed in the special permit that are instead addressed at the PRDD level. The central issue that largely drives this application is the Applicant's desire to have twenty-eight units. While this may be the theoretical maximum number of units, per Section 5.A.4.1(a)(3), this may not be the desirable amount given site conditions. The Applicant's materials spend a great deal of time showing different site configurations for 28 units, but fail to discuss whether fewer units were ever considered as an alternative. The Application, as submitted, requests a waiver of the requirement that there be no more than four units per building (5.A.4.1 (a)(6)). The result of this design (2 buildings of 8 units



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Zoning Referral

To: Westbrook Planning Commission

From: Eric Knapp, ZEO
Westbrook Zoning Commission

Date: September 15, 2020

Re: ZC2020-0009 – 1525 Boston Post Road - Parcel ID 182/011 – Special Permit Application for Dattilo Village a 28 Unit Multi-Family Residential building. Applicant/Owner: Dittilo Family Holdings, LLC, Michael Dittilo. Agent: Alvin G. Wolfgram

In accordance with Section 9.E.5.B. of the Zoning Regulations, this notice is being referred to you for your review and findings on the proposed Special Permit application.

A Public Hearing on this proposed special permit will be held on October 27, 2020, at 7:00 p.m. in the Multi-Media Room at the Mulvey Municipal Center, 866 Boston Post Road, Westbrook.

If you have any questions or need additional information, I can be reached at 860-399-3041.



Eric Knapp
Planning, Zoning & Development Coordinator

Attachments

ZONING REFERRAL

ZC2020-0009. Special Permit to create 28 Multi-Family Residential Units. 6 parcels: Kirtland Street, 26 Kirtland Street, 32 Kirtland Street, 1572 Boston Post Road and 1594a Boston Post Road; Assessor's Map/Lot #s: 177/122, 181/001, 181/002, 181/003, 181/006, 182/003. CAM Required.
Existing Zones: MDR/NCD; Proposed Zone: PRDD Owner/Applicant: Dattilo Family Holdings, LLC. Proposal to construction of 28 apartment units in four separate buildings with associated improvements.

Coordinator's Comments: As the PRDD Zone Change application is not complete and cannot be acted upon, it is premature to review or take action on this application. It should be tabled until November's meeting.

**Westbrook Planning Commission
Regular Meeting Minutes
September 14, 2020
VIA REMOTE ACCESS – ZOOM Meeting only**

MEMBERS PRESENT: Marilyn Ozols, Chair; Bill Neale (Regular Member) and Alternate Member Marie Farrell

MEMBERS ABSENT: Phil Bassett (Regular Member), Tammy Niedzwicki (Regular Member), Eric Reeve (Regular Member), Sheryl Becker (Alternate Member) and Richard Newberg (Alternate Member)

M. Ozols called the meeting to order at 7:05 p.m. and seated M. Farrell as a voting member.

SUBDIVISIONS: None

TOWN AND GOVERNMENT AGENCY REFERRALS: None

ZONING REFERRALS:

- a) **ZC2020-0008. Modification to existing Special Permit**, 141 Seaside Avenue, Elk’s Club. Extension of time to use pavilion from Memorial Day to Labor Day (existing) to May 1 to October 31 (proposed each calendar year. Don Harger, Jr. was present to speak for the application.

Mr. Harger indicated that there is no change in the use. This referral is just for an extension of time for use of the outdoor pavilion for the season. This includes outdoor live music. B. Neale asked if any neighbors objected due to the noise. Mr. Harger responded that the bands would not be playing late into the evening. During this extended period the bands would be playing only into the late afternoon/early evenings, stopping at 5:00.

A motion was made by B. Neale to find ZC2020-0008 Modification to existing Special Permit ZC2020-0008, 141 Seaside Avenue, Elk’s Club, extension of time to use pavilion from Memorial Day to Labor Day (existing) to May 1 to October 31 (proposed each calendar year) not inconsistent with the Plan of Conservation and Development. The motion was seconded by M. Farrell and was approved unanimously.

BILLS:

GENERAL ACCOUNTS FY 20		SPECIAL FUNDS	
App GEO- update to GIS	\$ 57.50	Planimetrics – research, strategizing and adopting for POCD public meeting	4,500.00
Kathy King – 8/10/20 PC Minutes	\$105.12		

M. Farrell asked for more information about the Planimetrics bill. All of the listening sessions have been completed.

A motion was made by M. Farrell to pay the bills in the General Accounts and Special Funds as presented. The motion was seconded by B. Neale and was approved unanimously.

MINUTES:

1. Regular Meeting – August 10, 2020

A motion was made by M. Farrell to approve the 8/10/2020 Planning Commission Meeting Minutes as presented. The motion was seconded by B. Neale and was approved unanimously.

OTHER BUSINESS:

1. 2021 Meeting Schedule

The meetings will continue to be on the second Monday of each month except for October when the meeting will be on the third Monday of the month due to the Columbus Day holiday. The meeting schedule will be filed with the Town Clerk.

2. 2021 Plan of Conservation and Development (POCD)

The survey will be online until the beginning of October. Unfortunately, there have not been any public information sessions due to Covid 19. E. Knapp will email the survey to the schools. A news story on the survey will be in the Harbor News as well.

3. Community Connectivity Grant – status update

M. Ozols said the sidewalk construction had now commenced. There had been some scrambling associated with the start of the project so that it would coordinate with the State's repaving of Essex Road. At this point, the portion of the sidewalks involving the repaving has been completed. The paving will resume at the end of September to complete Essex Road and the portion of Route 1 between Golf Links and Trolley Road.

4. TAP update

The Town of Westbrook was third in line for the federal pass through should it get appropriated. The estimating that was done did not follow the correct formula. There will be enough money to fund only the first 2 projects with each Town paying the additional amount. By recomputing the numbers, they asked if the Westbrook would commit to paying the additional amount of approximately \$178,000.00 if additional federal funds become available and a grant can be awarded. M. Ozols explained that the Town can always turn away a grant if they choose not to accept it but they can't get back in line once out. N. Bishop agreed to the terms of the grant with that understanding that the Town may choose not to accept it.

5. 2020 Community Connectivity Grant

There is a new grant round with an October 15, 2020 deadline. Nathan Jacobson will work with the Planning Commission to apply for it. M. Ozols suggested that they could apply to change from to bituminous to concrete sidewalk from Salt Island Road to Water's Edge because there it turns to concrete. Concrete sidewalk has already been put in by various developers. The TAP funds if they become available could continue the sidewalk east from Water's Edge. The STEAP grant has been submitted to extend sidewalks west from Mulvey to the Menunketesuck Bridge.

6. Affordable Housing Plan

Westbrook received the official grant award letter which means the Town has permission from the State to start work.

REPORTS:

1. Coordinator –

E. Knapp reported that the Datillo Village application was submitted. It will going to public hearing in October. He intends to get comments from Nathan Jacobson and Associates before it comes before the Planning Commission. The applicant is asking for a waiver of the number of units per building, so they can have more units per building. The project is designed to have the most possible units in the least amount of space. It needs more professional review.

2. **RiverCOG** – B. Neale said they’re working on the Regional Plan of Conservation and Development. It’s going well. The subject of the next meeting is the Affordable Housing Plan.

CORRESPONDENCE:

There was no new correspondence.

ADJOURNMENT:

The meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Kathleen King, Recording Secretary