

**Westbrook Planning Commission Regular Meeting  
May 11, 2020 7:00 p.m. VIA ZOOM teleconference only  
Minutes**

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

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

1. **Call to Order.**

M. Ozols called the meeting to order at 7:03 p.m. The three regular members were seated. Marie Farrell was seated as an alternate.

2. **SUBDIVISIONS.** None

3. **TOWN AND GOVERNMENT AGENCY REFERRALS.** None

4. **ZONING REFERRALS**

a. **ZC2020-0001. Special Permit, 1660 Boston Post Road**, Map 181, Lot 010, NCD Zone. Owner and Applicant: Lyman Development Corp. Special permit pursuant to Section 3.B.9.e of the Regulations to construct 4,457 square foot mixed use building, with two apartments in the front and five commercial garage spaces in the back. CAM required.

Stuart Fairbank, P.E., presented. He had provided revised plans with minor changes. The site is 1.3 acres. It abuts Route 1. Richard Snarski, Soil Scientist, flagged the site. S. Fairbank reviewed the changes that had been made since March's meeting. He highlighted the new landscaping plan and the proposed building materials and then reviewed the updated drainage plans and rain garden, as reviewed and approved by Tom Fenton of Nathan L. Jacobson and Associates, the commission's consulting engineer. The updated statement of use was also reviewed.

M. Ozols and M. Farrell asked questions relating to drainage, parking and the use of the attic spaces. There was also discussion about the outside storage of garbage, compliance of the street trees with the landscaping requirements of the Zoning Regulations and their ability to survive a high water table, and confirmation that the design and materials in the proposal would remain constant in the final construction.

The Applicant, Ron Lyman, indicated that it was his intention to use the garage spaces commercially instead of residentially, although the application allowed for two of them to be rented with the residential units. The Applicant further indicated that because these were units on slabs, he anticipated the attic space, although intended to be finished,

would be required for storage. The Applicant acknowledged that there was no outside garbage dumpster shown. The Applicant agreed to discuss with the Zoning Commission a requirement that either (a) all garbage be kept inside or (b) a properly screened dumpster be provided. The Applicant indicated that the species of trees shown on the plan will tolerate a high water table. The Applicant stated that the intent was for only residential parking to be in the front of the building with all commercial parking in the rear, and that a waiver request will be submitted to the Zoning Commission that will likely stipulate the parking arrangement in order to substantiate the waiver request. The Applicant agreed to stipulations regarding the remaining issues.

Following discussions, B. Neale **MOVED to find the proposed application to construct a mixed-use structure, 4,457 square feet in size, to be used for two residential units and five commercial garage spaces CONSISTENT with the Plan of Conservation and Development recommendations to: continue to promote business development in targeted areas, as set forth in Action Summary for Development Action Item 7.2.**

**This motion is contingent expressly on three stipulations:**

- 1. Pursuant to Section 7.E.1 (3) of the Zoning Regulations, at least four of the proposed street trees shall be of 3” caliper measured at 12” above the ground.**
- 2. The design and materials used shall not deviate from those shown on the plans submitted by the Applicant.**
- 3. Pursuant to Section 7.C.4 (3) of the Zoning Regulations, the Applicant shall request a waiver of the requirement that all parking and loading be to the rear of the structure.**

**T. Niedzwicki seconded the motion and it was approved unanimously.**

**5. BILLS.**

GENERAL ACCOUNTS FY20		SPECIAL FUNDS	
1. Recording Secretary K. King	\$ 81.21	1. Planimetrics (POCD)	\$8,319.05
2. AppGEO	\$ 137.50		

**On a MOTION by M. Farrell, seconded by B. Neale, the following bills were unanimously approved to be paid:**

- Out of the general fund, Recording Secretary Kathy King: \$81.21, AppGEO: \$137.50.**
- Out of the Special Fund for the Plan of Conservation and Development: Planimetrics: \$8,319.05.**

**6. MINUTES.**

- a. Regular Meeting – March 9, 2020

**A motion was made by B. Neale to approve the 3/9/2020 Planning Commission Meeting Minutes as presented. The motion was seconded by M. Farrell and was approved unanimously.**

**8. OTHER BUSINESS.**

**a. FY 20-21 Budget; Capital Improvement Plan.**

The budget was passed intact. The two sidewalk capital accounts will be merged into one so the transfer issue encountered this year won't continue to be a problem. The moneys are still earmarked for the same purposes.

**b. 2021 POCD (Plan of Conservation and Development).**

The Committee has recently met to review the first three booklets prepared by consultant, Glenn Chalder. There will be three meetings over the next three months to review the sections of the for "A Healthy Environment", "A Vibrant Community" and a Strong Economy". COVID-19 permitting, there will be a public meeting on the plan in August. E. Knapp would be sending out invitations to various municipal groups to participate in these meetings. M. Ozols encouraged all to attend meetings they were interested in.

**c. Community Connectivity Grant – status update.**

This has to go to the Board of Selectman on Tuesday, May 12, 2020 and then the Board of Finance followed by the Board of Selectmen acting as Town Meeting to approve the transfer. E. Knapp has the final contract and will be adding several attachments as directed by the town attorney. Once the First Selectman has signed the contract, it will be forwarded to the selected contractor.

**d. Sidewalks.**

There was nothing additional to report, except that all of the requested funding was included in the budget and Capital Improvement Plan.

M. Ozols stated that the RFP regarding the West Pond Meadow Road underpass had not gone out because of Covid-19 restrictions but will go out next fiscal year; Commission members concurred. She also stated that all of the consulting funds budgeted to address the lack of a full time Planner are included in the Planning Commission budget. Some of the remaining funds in this year's budget will be used to support the Town Center Revitalization Committee's work with a muralist to design a town center mural; it is the intent to apply for grant funds for the painting once a mural design has been selected and presented to the town.

9. **REPORTS.**

1. **Coordinator** – E. Knapp reported that he had hired a new Admin I, Erin Fitzgerald, who would be working 25 hours a week, but had not started yet due to the closing of the town hall.

2. **RiverCOG** – B. Neale reported that RiverCOG has been meeting to address responses to the continuing crisis. This has impacted meetings with the various towns to get their input in the Regional POCD.

10. **CORRESPONDENCE.** None.

11. **ADJOURNMENT.**

On a motion by M. Farrell, seconded by B. Neale, the Commission voted unanimously to adjourn at 7:34 p.m.

Respectfully submitted,

Eric Knapp

Planning, Zoning and Development Coordinator